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THE GROWTH

OF

ENGLISH INDUSTRY

AND

COMMERCE

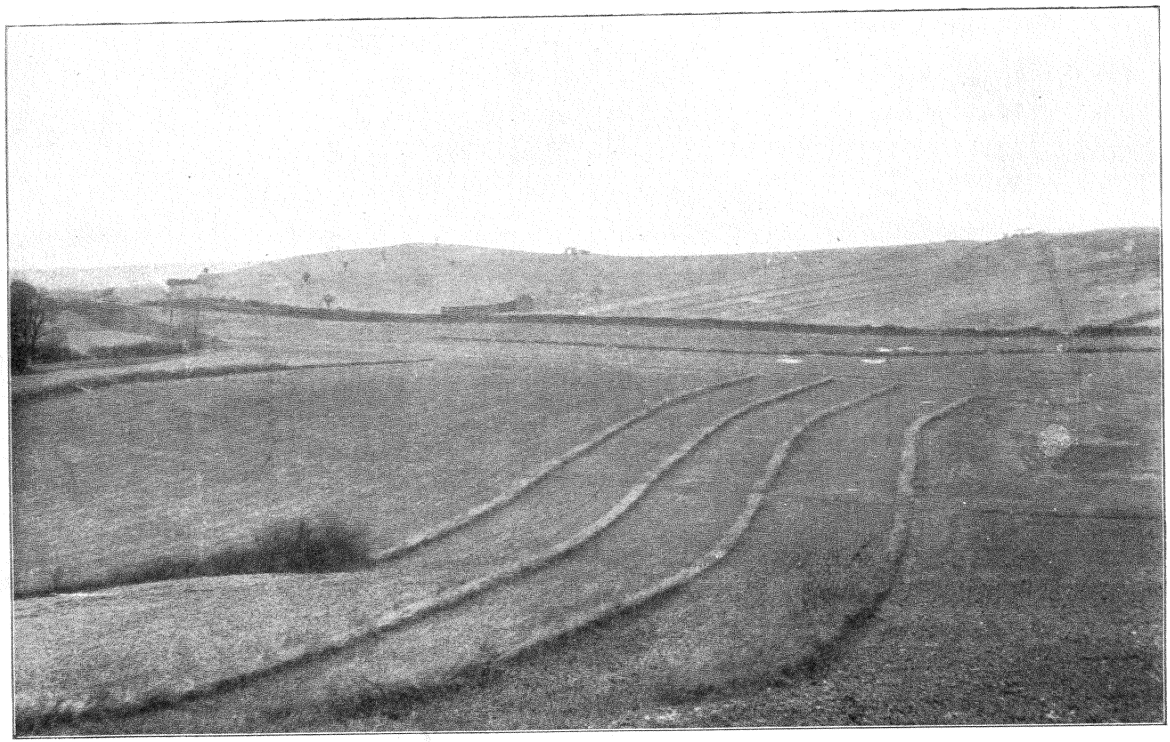
DURING THE EARLY AND MIDDLE AGES.

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THE GROWTH

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ENGLISH INDUSTRY

AND

COMMERCE

DURING THE EARLY AND MIDDLE AGES.

BY

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108. Nicholas Oresme. Oresme's treatise was known in England in the early part of the fifteenth century. He asserts that money belongs to the commonwealth, and contrasts the government of princes and of tyrants. The practical bearing of his treatise was noticeable, and he explicitly adopted the conception of national rather than municipal wealth. . . **355**

109. Views on the currency. Oresme treats of the exchange of riches, natural and artificial; and discusses the subject of the material for money. He considers the alteration of money in denomination, by reducing weight and by debasing, and follows out the evil effects of debasement. . **357**

110. City opinion on monetary transactions. City opinion in the fourteenth century condemned a loan for three months at interest. The conditions of mediaeval business restricted banking operations. The currency was entirely metallic, and the exchange of coins was a prerogative of the Crown. There was little demand for loans of capital; and special emergencies might often occur in connection with demands for taxation as well as in trade. Merchants had some opportunities for obtaining gratuitous loans and could form partnerships. The total mass of money was so small that there was serious danger of the stocks being monopolised. **360**

111. Grounds for mediaeval opinion. It was thought justifiable to demand security for loans, but that there should be no gain if there was no damage and no risk. The modern justification of interest did not apply in the fourteenth century. Interest on secured loans was charged at monopoly rates; but partnership in risks and profits gave facilities for commerce. Hence it was not obvious that money-lending could be of any benefit to the community. **365**

IV. LANCASTER AND YORK.

I. Disintegration and the Beginnings of Modern Society.

112. Decay and progress. Till the reign of Edward III. there were many signs of national progress, both material and social, but the French War and the Black Death had disastrous effects. Hasty generalisations about the fifteenth century have obtained general currency; but the evidence is very conflicting, and it is necessary to discriminate. Distress was general, but relieved in many places by the progress of cloth manufacture and by the success of native Englishmen in ousting aliens. **369**

113. Decay of authority. The violent economic changes of the fourteenth and fifteenth centuries contributed to the decay of the royal authority on land and sea. Parliament was not an effective substitute. The decay of local institutions became apparent in the reign of Richard II., when manorial powers, municipal authority, gilds, and ecclesiastical influence alike declined. **373**

114. Anticipations of the mercantile system. In the reign of Richard II. a new departure was made. We find at this time the reversal of the old policy, and the first signs of the mercantile system in the legislation with regard to shipping, tillage, and bullion. **377**

115. Social changes. Classes of society became divided, as in modern times, into labourers and capitalists; this was an abiding result in the structure of society. **378**

II. The Mercantile Class and the Labourers.

116. Importance of the merchant class. Under Edward III. the merchant class was growing in importance. The Grocers as well as other Livery Companies, such as the Vintners and Drapers, obtained privileges. Wealthy artisans came to the front; and the power of the merchants was very great in London and other towns. Many municipal towns were royal creditors, and we have evidence of municipal opulence from assessments for taxation. **381**

117. Changes in the standard of comfort. The habits of a merchant prince in the fifteenth century involved considerable magnificence combined with lack of comfort; the homes of the poor must have been miserable. No accurate comparison with modern conditions is possible, as the change in ordinary requirements has been so great; and we can only fall back on a physical test as to the support and prolongation of human life. Famines and pestilence caused great ravages; the means at the labourers' disposal depended on the rates of wages, and were reduced by irregularity of employment. Holidays were frequent, but the hours of labour were long. It seems probable that there has been an improvement in the condition of the skilled artisan in modern times; and it is certain that in the fifteenth century there was considerable misery and discontent. . . . **386**

118. Management of trade. The influence of merchants had its effect on the mercantile policy of the realm. (i) Restrictions were imposed on aliens in internal and retail trade. (ii) The encouragement of English shipping was demanded. (iii) Money and bullion were wanted in the country. The theory of the balance of trade was appealed to by Richard III.'s advisers, who recognised the importance of accumulating treasure. **392**

119. The Peasants' Revolt. The landlords were greatly impoverished, and were forced to take to sheep farming, or to let their land on lease. With the introduction of the cash nexus, the distinction between prosperous and poor peasants became more marked, and the rights of the manorial lords were seriously called in question. The revolt was mainly due to agrarian discontent, but it was occasioned by the Poll Tax, and was for the most part directed against monasteries. The peasants found sympathisers among the wage-earners in towns, but the revolt ended in complete failure. **396**

120. The effects of sheep farming. The difficulty of arable farming led to the increase of sheep farming. Rural disorganisation was followed by a Game Law. Tillage was encouraged by Corn Laws, which allowed freedom of exporting and prohibited the importing of corn. Poor relief received attention, as clergy and monasteries could no longer cope with the problem, and the foundation of hospitals became common. Signs of a new constructive policy are found as early as the time of Richard II. . **405**

III. Commercial Relationships.

121. English shipping. English shipping was in a state of decay, and the coasts were exposed to attack. Self-protection by merchants was a recognised expedient, but this did not remedy the insecurity of the coasts. Shipbuilding was encouraged, but the Navigation Laws were not regularly enforced. 409

122. Growth of English commerce. The growth of English commerce is shown by commercial treaties and the formation of merchant companies, particularly the Merchant Adventurers. Consuls were first appointed for Mediterranean trades; the English also entered into rivalry with the Hansards, and commenced to trade with Iceland. . . . 414

123. The Hanse League. The position of the men of the Hanse caused considerable difficulty, and there were many negotiations about injuries to shipping, with claims against and by the English. The Hansards had also grievances against the English customers. Arrangements were made for putting down reprisals, and the position of the Hansards was strengthened by Edward IV. 419

124. Italian trade. The business carried on by the Italians was now mercantile and not merely financial; it was conducted by organised fleets of galleys by the sea route. Traders from Florence, Genoa, and Venice frequented English ports. Objection was taken to those branches of the trade which consisted in the import of articles of unproductive consumption and of articles that might be manufactured at home. Complaint was also made of the influence exercised by Italian buyers on the cloth manufacture. 422

125. National industrial policy. The protection of native artisans was carried out under Edward IV., and Parliamentary recognition was given to many craft gilds. 429

126. The supply of bullion. Strict regulations were maintained with regard to the export of money and bullion. Bullion was very scarce in Europe, and the political importance of securing treasure was fully recognised. 431

IV. Industry and Internal Trade.

127. The cloth manufacture. The manufacture of cloth had become a large branch of trade, and the aulnager was an important official. The manufacture flourished in many localities and there were great varieties of qualities; it had become the subject of national regulation. A class of capitalist employers arose, who were known as clothiers. There are signs of conflict between capital and labour; and care was taken to ensure a supply of raw materials. The social conditions of the fifteenth century were unsatisfactory; while the country generally suffered from the decay of tillage and of many towns, the rapid development of the cloth manufacture in other localities affords a strong contrast. 434

128. Craft gilds in the fifteenth century. The national regulation of the goldsmiths' and other trades was carried out by the agency of their gilds; but these bodies were falling into discredit in many places, and there were difficulties between craft gilds and municipal officers, and between

merchants and craftsmen. The condition of journeymen was unsatisfactory; some of them attempted to form brotherhoods of their own, as was done by the cordwainers; and the saddlers and tailors also formed Yeoman gilds. At Coventry, and at Bristol, special arrangements and organisation were allowed to the journeymen tailors. In other trades the introduction of machinery also gave rise to difficulties. Gilds tended to become monopolies, and took a stand against the competition of aliens; they appear to have combined for this among other objects. 441

129. Agricultural policy. During the fifteenth century, encouragement was given to tillage, by freedom to export corn, and by the prohibition of importation. Sheep farming increased at the expense of tillage, owing to the decrease of labour; and the assessment of wages was resorted to. The attraction of the cloth manufacture interfered with the supply of labourers in husbandry. 447

130. Decay of internal trade. The roads fell out of repair; this was one of the causes which brought about the decay of fairs, such as those of Boston and Winchester, and many of the provincial towns were impoverished. The towns had little recuperative power, and it was necessary to grant considerable remissions in the collection of fifteenths and tenths. The causes of this decay seem to have included incursions of the sea, war, and pestilence, as well as the pressure of taxation. . . . 450

V. Mediaeval and Modern Economic Ideas contrasted.

131. The determination of prices. There is such a paucity of literature in the fifteenth century that it is not easy to follow the changes with precision. Natural economy had been very generally superseded, and the intervention of money led to the change from customary to competition prices. A reconstruction of society was taking place on the basis of competition, and with fluctuating, not regulated prices. In the Middle Ages the cost of production was a primary factor in the assessing of prices; while in modern times the process is reversed, and price limits the reward of labour. New conceptions were coming into vogue in regard to the reckoning of rent and the power of capital. 457

132. Relations of persons and exchange of things. The social structure was becoming altered, and this affected individual ambition, and led to increased desire for wealth. 464

133. Personal responsibility. In modern conditions it is difficult to apply moral principles to commercial transactions. Formerly the gilds brought home the responsibility for wrong-doing to their members. 465

134. National power. The aim of national power had become operative as a limiting principle. The municipal spirit was giving way before patriotism in the fifteenth century. This is reflected in the *Debate of the Heralds* and by Fortescue. The *Libelle of English Polycye* is also full of a spirit of national ambition. Power was being aimed at rather than plenty, and this object helped to consolidate the mercantile system. The reign of Henry VII. is the turning point when the new scheme of policy was consciously adopted. 467

V. THE TUDORS.

I. Preliminary Survey.

135. The Age of Discovery. The discoveries of America, and of new routes for trade with the East, eventually resulted in a great extension of English commerce, as they were the removal of a physical limit to expansion. The spirit of the age favoured the increase of geographical knowledge, and the tradition of previous voyages to the West survived. The old routes of trade were closed, but Portuguese enterprise pushed along the coast of Africa and succeeded in reaching India; there was much rivalry between them and the Venetians. **473**

136. Growth of the mercantile system. The material prosperity of the country as a whole was sought for, as a means of gratifying the national ambition. Relative progress was needed to secure relative superiority The pursuit of private gain was kept in check in the interests of public good. The mercantile policy regarded power as dependent on (*a*) treasure, (*b*) shipping, and (*c*) population. The long period, when these principles were adopted, must be divided according to political relationships. **478**

II. Accelerated Rate of Change.

137. New direction of English ambition. In the sixteenth century the control of the balance of power became an object of English policy; while the new discoveries gave rise to hopes which superseded the old schemes of continental conquest. **483**

138. The accumulation of treasure. Treasure was accumulated by Henry VII. through high-handed exactions. Henry VIII. resorted to the confiscation of Church property, and the debasement of the coinage, to obtain resources. **486**

139. Social results. Through these exactions and confiscations the necessary evils of this period of transition were aggravated. . . **488**

III. Shipping.

140. The navigation policy. The Navigation Acts were maintained by Henry VII.; under Henry VIII. they were first relaxed and subsequently re-enforced. **490**

141. Commercial policy. The safety of merchant shipping engaged the attention of Henry VIII. during the French war; important commercial treaties had been made by Henry VII. He secured the right to engage in trade with Iceland for his subjects; there was a considerable Mediterranean trade with Pisa, and in the Levant. Under Edward VI. many advantages were expected from a proposed mart at Southampton. The Hansards in England were now put on the same footing as other aliens. **491**

142. Protection of the coast. Under Henry VIII. Trinity House was incorporated; the harbours were improved and steps taken for the defence of the coasts. Henry also established a naval arsenal. . . . **497**

143. Policy for the development of shipping. Increased attention was directed to the supply of naval stores, and encouragement was given

to the training of seamen in the fishing trades by the enforcement of a political Lent. 497

144. England and the discoveries. The Tudors took no part in the great discoveries, and Columbus could get no help from England. John Cabot and the Bristol merchants organised some expeditions, and Cabot obtained a royal license. Sebastian Cabot carried on his father's work, and there were other expeditions, such as those of Thorne and Hawkins. An attempt to find a North-East passage, under Chancellor, led to the foundation of the Russian Company. 500

IV. The Gilds.

145. The condition of industry. Under the early Tudors the condition of industry was unsatisfactory. The towns still suffered from excessive taxation and were in a state of decay. There were, however, under Henry VIII. some signs of improvement. 506

146. Difficulties in the towns. The older towns suffered from the migration of industry and abuses in the craft gilds; their weakness was shown in inability to control the apprentices who broke into a riot known as Evil May Day. There were also injurious regulations which tended to the oppression of journeymen. 508

147. Legislative action. Under the Tudors the gilds were supported in the struggle with aliens, and were used as executive agents. Regulations were passed for the brasiers, coopers, leather trades, and dyers. The clothing trades in the West Riding were important, and pains were taken to introduce suitable regulations into the Norfolk trade. There was considerable difficulty with regard to the supply and purchase of wool. . 512

148. Migration of industry from corporate towns. The continued decay of corporate towns is illustrated by the case of Worcester, which was suffering from the competition of village artisans; the retail trade of the old towns had also been injured. New towns sprang up at Manchester, Birmingham, and Sheffield, and London trade was expanding. 517

149. Capital in industry. In so far as the gilds had not been nationalised, they were of little use, and under Edward VI. a discriminating attack was made on their property and powers. Capitalistic production in factories was coming into vogue, and rules were made as to the numbers of journeymen and apprentices, to check the abuses which accompanied it. Capital was also used for planting new trades. 521

V. The Land Question.

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151. Sheep farming and absenteeism. Owing to national dangers statutes were passed to repress sheep farming, and absenteeism, but improved husbandry was not checked. 530

152. The superseding of manorial economy. Farming for the market superseded the old system of catering for household needs, and serfdom passed away; but many traces of collective husbandry survived. **535**

153. Conditions of labourer. Labourers' wages and hours of labour were regulated; as there was a continued rise of prices, the men endeavoured to secure better terms by combination. **534**

154. The unemployed. In dealing with the unemployed, the Tudors distinguished between stalwart tramps and the impotent poor, who received licenses to beg. Legislation encouraged the raising of funds to relieve the impotent, and ill-considered charity was discouraged. The dissolution of the monasteries was followed by an increase of the evils of pauperism, and the poor were graded and cared for in the London hospitals. The gilds had formerly acted as Friendly Societies, and had prevented men falling into poverty. Under Edward VI. loiterers were severely dealt with, and charity was organised in the parishes. **536**

VI. The Revenue.

155. The state of the currency. The Tudors felt themselves forced, by the changes in the ratio of the two precious metals, to issue depreciated silver coins. The consequent rise in prices was explained by contemporaries as due to combination. The extravagant use made of the precious metals in the fifteenth century and the hoarding of bullion by Henry VII. had tended to keep prices low. Social conditions in the Middle Ages had on the whole tended to render prices stable. There is some doubt about the modes of payment which were in vogue, and altogether there is great difficulty in interpreting prices. **541**

156. Fiscal charges. Tenths and fifteenths were supplemented by general subsidies; these soon became a fixed levy. Changes were made in the collection of customs and new impositions were levied by the Crown. **547**

VII. Changes in Opinion.

157. Economic experience. The principles of the mercantile system were not strictly adhered to under Edward VI.; progress was made in the formation of capital. **550**

158. Improvements and discoveries. Practical treatises were written on husbandry, surveying, mensuration, and arboriculture, and there was much interest in travel and discovery. **552**

159. Moralists and preachers. Starkey's *Dialogue* deals with economic conditions. Preachers and moralists uttered fine sentiments, but did not formulate principles of duty which were applicable in new circumstances. The questions arose how far it was a duty for capitalists to give employment, and how far it was allowable to take gain without running risks. Abuses of the power of capital have given rise to sentimental protests, rather than to any reasoned ethical doctrine. **555**

160. National prosperity as a representative principle. Edward VI. desired to retain the old social order, and laid stress on differences of degree and the 'proportion of the country,' but mere repression was impracticable.

The *Discourse of the Common Weal* anticipates many modern views on taxation, self-interest, and the currency, and lays stress on the balance of trade. There are practical proposals for recoinage, for encouraging skilled 'foreigners,' and for remedying depopulation. The Elizabethan economic system followed these lines rather than the principles of Edward VI. **559**

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MAP of a Normal Virgate in the open fields of Hitchin, reproduced by the kind permission of Dr Seebohm . . . . *to follow* 44

EXCHEQUER TALLY 157

INTRODUCTORY ESSAY.

I. Past and Present.

1. Eight hundred years have now passed since William of Normandy carried out a great survey of the kingdom he had secured, and embodied the result of his enquiry as to its economic condition in Domesday Book. This work stands out as a great monument which plainly records the general character of English life in bygone days, though there is much difficulty in interpreting the details of the information it contains. A very little consideration of its plan and contents serves to bring to light extraordinary contrasts between the past and the present, and to show the nature of the difficulties which we must face when we attempt to trace and to describe, the course which English industrial progress has from that time pursued. One need hardly add that there are additional difficulties in regard to the still earlier ages from which but little accurate information survives.

Domesday Book 1086.

2. There has been, to begin with the most obvious difference, an extraordinary change, since the time of the Conqueror, in the relative wealth and importance of different parts of the country. The most casual traveller through England to-day could hardly fail to remark that a very large part of the national industry is concentrated in the northern counties; Lancashire and Yorkshire are occupied by great masses of busy population. The wealth of our coal and iron beds, and the skill we have shown in using these materials, have been important factors in enabling us to secure our present industrial supremacy. These northern counties,

Contrasts in the relative importance

where waterpower, as well as coal and iron, is to be found, have attracted to themselves the textile industries, for which they afford both mechanism and power on the easiest terms. London is the great emporium of commerce, but the north of England is the workshop of the world. The records of Norman times portray a very different state of affairs.

of different industries,

Neither coal nor iron formed an important item in English industry or trade, and the weaving trade was but little developed[1]. Tin and lead were the chief mineral wealth, and raw wool and hides were the staple articles of trade for many succeeding generations; we had hardly any manufactures to send to foreign markets but we exported raw materials for others to work up.

and different districts.

The staple articles of trade in the Norman period were quite different from those in which we now excel, and the great centres of modern production had not succeeded at that time in attracting any considerable share of the national wealth. York had been an important city in Roman Britain, in some ways more important than London itself,—and Northumbria had been for a time the dominant kingdom in the newly settled England; but the power of the North had begun to wane before the ravages of the Danes, and the rising power of Wessex. The Norman king himself, however, dealt the blow which destroyed it utterly; King William harried the North so thoroughly that page after page of the Survey describes how one manor or another, which had been fairly stocked with meat and men in the time of King Edward, was valueless and waste. The lands between the Ribble and the Mersey had not suffered similarly, but they were scarcely more populous, and long centuries elapsed before they began to take a leading part in the industrial life of England.

Contrasts in the character of town

3. If we confine our attention to any one district and contrast its condition at that time and the present day, another series of differences is likely to attract our notice; the striking contrast which we now find between town and country life was then unknown. Our manufacturing towns,

[1] Cloth was obviously an imported article, see below p. 130, n. 4, on London trade; also on Irish merchants, p. 180, n. 2.

with their masses of population, could hardly have been supplied with the necessaries of life in any age when there were few facilities for internal communication; but even the sleepiest country town, with shops containing goods from all parts of the world, suffices to illustrate the extraordinary change that has taken place. At the time of the great Survey there were hardly any towns, as we understand the term; even in a place like Cambridge[1], which had a fairly advanced municipal life, the burgesses were engaged in rural pursuits and were bound to supply teams to the Sheriff; and the men of Leicester were responsible for predial services and made payments in lieu of them at a much later date[2]; the people of the towns were still engaged in agriculture. Again, there were in these towns few if any shops stored with quantities of wares ready for sale. We may specify two of the commonest classes; there were no grocers' shops, for commerce was too fitful to supply foreign wares by regular trade, and no butchers' shops, for these are of comparatively recent introduction even in towns like Aberdeen and Lanark[3]; while the craftsmen would have a comparatively small stock of finished goods and would for the most part execute work to order. Markets there doubtless were in most of the towns, and a few annual fairs near others; but just because booths, erected on these occasions, sufficed for the greater part of the internal commerce of the country, there was no need for regular shops[4] as we know them to-day.

A.D. 1086

A.D. 1190

and country life.

The primitive character of the towns harmonised with a condition of rural life that differed much from that which we have in the present day; just because the villagers had not learned to depend on shops in the towns for the supply of many commodities, they made more effort to supply themselves. There seems to have been in each village a larger proportion of craftsmen than we should find among the rural population now; each household, or at any rate each little group, had the requisite skill for supplying the main articles

[1] *Domesday*, I. 189 a.

[2] See below, p. 215.

[3] Sampson, *History of Advertising*, p. 59.

[4] Shops are frequently mentioned in the *Hundred Rolls*: it appears that the wooden front was made to fold down so as to form a sort of counter. Parker, *Domestic Architecture*, 154.

of clothing and domestic use, so that the villages were not so purely agricultural as they are to-day, while the townsmen had not entirely severed themselves from rural pursuits; differentiation between town and country was incomplete, indeed it would be more true to say that it had hardly begun.

Contrasts in the social structure

4. The contrasts in regard to the structure of the various industrial groups and the relationships of the persons who composed them, are even more striking than those we have noticed in connection with the external aspects of society. In every kind of industrial group, urban or rural, we may now distinguish three classes,—the landlord who owns the soil where the work proceeds, the employers who supply the capital and the labourers who carry through the actual manual toil. Even in those cases where three classes cannot be distinguished, it is convenient, for the purpose of explaining the process of production and even for understanding the accounts and financial position of any undertaking, to analyse out the factors of Labour, Capital and Land. But though, when we have these distinctions clearly in mind, we may find them in eleventh century society in England, we find them under very different forms; and it is not an exaggeration to say that Capital, as now understood, had no place in the industry of that period. Capital means a store of wealth which can be employed in one direction or another as the prospects of remuneration are more or less favourable; it is part of its very nature that it is fluid; it is continually being expended in tools, materials or wages and replaced by sales, and thus it affords constant opportunities for increased or diminished investment. But though the craftsman of the eleventh century had the few simple tools that were necessary for doing his work, there must have been many cases where he had no stock of materials of his own, but relied on his customer to give the materials or supply money in advance for buying them. While industry was thus conducted, there was no fund which could be used for planting new industries, or calling labour into new directions; stock-in-trade there undoubtedly was, but no Capital as we now use the term.

in regard to Capital,

There were also great differences between Labour, as we

understand it now, and the workers of the time of the Survey. Just as we assume in our ordinary discussions the fluidity of Capital[1], so we are accustomed to take "the fluidity of Labour" for granted and to assume that a man who cannot get remunerative work in one place will go and seek it in another, so that high wages in one district attract labourers to that locality. But at the time of the Survey, labour was by no means fluid; partly because a very large proportion of the population were serfs who could not move to other estates or to towns, and partly because others had such rights in the land, or at a later date such status in particular towns, that they were unwilling to try their fortunes elsewhere. The labourer, as a man who depended on some employer for the opportunity and means of doing his work, seems to have been almost unknown in the eleventh century. *to Labour*

There were also great differences in regard to land and the income which was derived from it. The contrast, which Sir John Phear draws[2] between a Bengali and an English proprietor in the present time, holds good between the English proprietor of eight hundred years ago and his successor now. The rent of the proprietor now is directly connected with the physical character of his estate, its productiveness and its situation. The income of the lord of a *Domesday* Manor depended on the tolls he received, and the payments of his dependents; and thus was based on the way in which his estates were stocked with meat and men, rather than on the physical condition of the land. His income was a very different thing from modern rent. *and to Land.*

We may thus see that English Society at the time of the Survey was so different from our own, that the language in which we habitually discuss the industrial condition of the present day is inapplicable, if we wish to analyse the circumstances of these earlier times. Labour, Capital, and Rent have all altered their connotation so much, that we run considerable risk of confusing ourselves if we are satisfied with adopting modern language to describe the period of the Domesday Survey. This is perhaps the *The connotation of terms.*

[1] Bagehot, *Economic Studies*, 41.
[2] *The Aryan Village*, 136.

greatest difficulty with which we have to contend; not only have the industry and commerce grown immensely, but the very terms in which we habitually describe them and express our ideas regarding them, have changed their signification as that growth has taken place.

II. The Scope of Economic History.

The Body Economic.

5. While the greatness of the changes which we are about to trace makes the task of examining them difficult, the wide extent of the field which we must survey renders it still harder. In analysing and tabulating the events of any brief period, statisticians can separate economic from other phenomena; but in tracing the growth of the different parts of English Society we cannot draw a hard and fast line of separation. The student of morbid anatomy may dissect out the various organs, or describe the alimentary system in itself and with little reference to the nerves, but in the living subject there is no such severance; the alimentary and nervous systems are interconnected, and the process of mastication and digestion would not long continue if the nerves were completely paralysed; if we are discussing the operations of healthy life, or the disorders which actually occur, we cannot neglect the interconnection of the two systems, or treat one fully without an implied recognition of the importance of the other. So too with the constitution and the industrial system of a State. We may separate them in thought or verbally, but they never are and never can be separated in actual life; for purposes of study it may often be convenient to look at them apart, but if we are to understand their working at any one time, still more if we are to understand the changes which have taken place in the course of centuries, we must bear in mind that economic and political circumstances constantly re-act on one another. The forces which are applied to the maintenance and enrichment of the inhabitants of England, have been controlled in very different ways and to very different degrees at various periods of our history; but at each epoch we have had to do,

not with dead matter, but with a living organism; we cannot comprehend the growth of our industrial system, without an implied recognition of the constitutional changes that were taking place side by side.

The inter connection of events.

Indeed a very few moments' consideration will show us that there is no fact in our nation's history but has some traceable bearing on the industry of the time, and none that we should be justified in ignoring as if it were wholly unconnected with our subject. Wars and Revolutions, Court Intrigues as well as Religious Movements, have all had an industrial side; they have dissipated wealth, or they have altered the conditions under which wealth was obtained, or the terms on which it was divided, or perhaps they have done all three. Numberless cases might be alleged where trifling incidents have been links in the chain of causes that have produced most marked industrial effects.

There is more need to insist on this interconnection between industrial and commercial history on the one hand, and the constitutional, dynastic, or any other side of our national story on the other, because the fact seems to be imperfectly recognised in some of our best historical works. The manner of treatment sometimes adopted conveys the impression that facts about industry and commerce can be easily distinguished from the rest, and dealt with in separate chapters; but this can never be a thorough way of working. We might indeed gather the facts of industry, but not the facts that have a bearing on industry and explain the changes in industry; and if we wish to understand the real progress we must pay some attention to both.

The sphere of study

It might have seemed that by insisting that the sphere of our study is so extensive, we are making the task a hopeless one. If such a mass of facts is to be taken into account, how are we to use them, or to hope to obtain conclusions from them? We shall have to group them in some way, and if our conclusions are to be worth having, we must take great care to marshal the facts wisely. This we cannot do by making an arbitrary selection to start with, but only by carefully taking a special point of view, and noting what facts come into prominence when seen from this outlook.

and the grouping of facts.

We get very different views of London from the Monument and from S. Paul's; the same buildings lie around us in both cases, but they are differently placed, and what is prominent in one case is half hidden in the other. So we may look at the facts of a nation's history from a constitutional standpoint, and note the bearings of the various events on the growth of the political institutions; many reported occurrences will be of slight, a few will be of striking importance. If we took a dynastic standpoint, and viewed the course of the same history as bearing on dynastic fortunes, we should find that our attention was called to other facts as the most important; so too from our economic standpoint we still deal with the same recorded facts, but they have a different interest; much that seemed valueless before comes to have a vast importance for us now, while great political struggles may perhaps be disregarded without serious loss. Economic History is not so much the study of a special class of facts, as the study of all the facts of a nation's history from a special point of view. We wish to draw from the records of the past all that bears upon the maintaining and prolonging of human life in any form, whether corporate life in the family or town or nation, or individual existence as a private citizen.

Political History describes

6. Nor should we be justified in contending that the special point of view from which we look at these changes is the one which gives us the most important and adequate survey of the national story. Political, moral and industrial changes are closely interconnected and re-act on one another, but we shall understand the industrial changes most truly if we regard them as subordinate to the others. It is of course true that, if its industrial system is not adequate, a nation cannot continue to be a great moral power as a civilised state, or to hand down monuments of its literary and artistic vigour. Political greatness and high civilisation imply the existence of industrial prosperity, and of sound industrial conditions, if they are to be at all stable. But after all, the life is more than meat; each nation takes its place in the history of the world, not merely by its wealth, but by the use that it makes of it; industrial prosperity does not in

itself produce national greatness; political views not only control the application of national wealth, but affect its increase. Industrial progress has often been stimulated by new political aims and conditions. Changes in the constitution of society, and in the police and foreign relations of the country, have given an altered framework to which our industry and commerce have time after time been forced to adapt themselves. The marriage of Edward III. with Philippa, the severities of Alva, and the revocation of the Edict of Nantes, had conspicuous results in England; the aims of the Angevins set our towns free to carry on a prosperous trade; the ambitions of later days led to the formation of our colonies and the successful struggle for mercantile supremacy. Economic affairs have indeed modified the course of political events; time after time industrial movements reacted on political life and contributed to great constitutional changes,—when the men of London joined in the demand for *Magna Carta*, when financial stress rendered Charles I. more dependent on parliament than his predecessors had been, or when the industrial revolution and factory system produced a state of affairs in which the First Reform Bill was inevitable. Economic conditions are a factor in such changes; they set before us the special causes of discontent with an existing *régime*, but they never directly determine the nature of the changes that are eventually carried through. Our national polity is not the direct outcome of our economic conditions; whereas time after time, our industrial life has been directly and permanently affected by political affairs, and politics are more important than economics in English History. Industrial changes have been necessarily correlated with changes in the social and political systems; and the framework of society at each period did much to determine the character of the industrial habits and institutions.

the framework of our industry and commerce at each period.

7. While the form of industrial institutions has thus been chiefly determined by political conditions, there have been other influences which have done much to control and modify their actual working. It may be that the traders' conscience has not been very sensitive in any age, and we

Current morality.

hear enough of commercial immorality in our own day, but at no time has it been possible for dealers or others publicly to defy common sense opinion as to right and wrong altogether. Current conviction has controlled with more or less success the manner in which industry and trade have been carried on; it has found very different organs of expression and been supported by various sanctions. In some cases it made itself felt in the customs of traders who believed that honesty was the best policy; in others it was enforced by ecclesiastical discipline or royal authority, or by public opinion expressed in an Act of Parliament; but from the time when usury was discredited to the days when the protection of Factory Acts was given to women and children, it has constantly modified industrial and trading habits. New industrial abuses may have called forth new moral indignation, and some industrial successes have done much to qualify moral judgments; but on the whole we may see that the current conviction in regard to the morality of certain transactions has greatly affected the conduct of industry and trade in each succeeding generation.

Human resources.

8. We shall have to bear in mind at each epoch then, that the economic changes which we trace are changes which occurred in a definite political society and which were influenced by the current views of right and wrong; these are presupposed in every civilisation; and they give the basis of all economic institutions and the atmosphere in which they worked. But this social structure and this civilised life must be sustained; there are physical needs which must be attended to if the population is to be maintained in health and strength and the government in vigour and power, and these aims can only be accomplished by the application of *skilful energy* and *patient foresight*. These are the resources with which individual human beings are able to procure the satisfaction of their wants; and on the larger scale, industry comes into being or grows, when men, feeling any need, strive to supply it by bringing these resources into play; these are the factors which are invariably present. The manner of their working, and the forms which they take, will vary very much in different times and places; the skill

Energy and foresight

that is required in a nomadic family differs very much from that of a civil engineer; the forethought of a husbandman can scarcely be compared with that of a railway contractor; yet similar qualities, ability to use natural objects for a given end and willingness to wait for a distant and more or less certain return, are operative in these various cases. The history of industry and commerce is only the story of the various ways in which these human resources have been applied so as to satisfy constantly developing human wants. Every change that has taken place in the manual dexterity of labourers, every mechanical improvement or ingenious discovery by which toil is so saved that one boy can do what fifty men could not have managed before, has given each individual greater ability for the satisfaction of wants. This is a matter of course; but apart from the actual increase of individual powers, much has been accomplished, as civilisation advances, by the better husbanding of power: every change which gives a better status to the labourer, and indirectly a greater encouragement to engage or continue in labour, has had a similar effect. We can also trace the other factor, patient forethought—willingness to undergo present privation for the hope of future gain. Wealthy peoples and poor differ less in the strength of this feeling[1] than in the opportunities for giving it free play. If the "effective desire of accumulation" produces small results in tropical climates and under tyrannous governments, this may be, not so much because the individual desires are weak, as because the obstacles to be overcome are great. With every increase of security in a country, it becomes more certain that a man will be protected in the enjoyment of the fruits of his labours, and therefore he has more encouragement to work and wait for a future gain; by stable institutions patient forethought may be economised, and a little of it be made to go a long way. From the sixteenth century onwards, the greater transferability of this factor in production becomes noticeable; when it was once embodied in the form of Capital the national forethought could be directed into those channels where it was most remunerative. Still

applied

and husbanded.

[1] A. Mitchell, *Past in the Present*, 23, 168—176.

more striking effects both in the husbanding and directing of this agent in production are due to the employment of Credit, though this requires a very stable social system as the first condition of its existence. In one way or another, in simpler or more complex forms, these forces have been constantly at work; and the facts which are specially prominent from our point of view are those which show the mode of their operation or the results of their action.

Limiting conditions.

9. The success which attends any particular employment of these human resources must largely depend however on physical circumstances; no amount of human forethought and energy will give a country beds of coal and iron or furnish them with a Gulf Stream. But it is important to observe that natural advantages do not make a people rich; they can at the best only make an industrious people richer. Natural plenty does not make men wealthy any more than want makes them industrious[1]; in so far as natural plenty removes the stimulus of want it may almost be an obstacle to progress. The physical conditions of climate and soil determine the direction of industry which shall be most profitable to a given people at a given time; but curiously enough the economic value of the physical characteristics of a country varies greatly at different times. The introduction of ocean steamers has given great importance to certain points as coaling stations, and diminished the value of ports on sailing routes; and so too, many towns have been almost destroyed as centres of trade by the introduction of railways. Britain has been in turn a great corn-growing, wool-growing and coal-producing island; and the changes from one

[1] This is the secret of the difficulty of State encouragement of industry; it is hardly possible to guess how improved conditions will affect the people themselves, but they appear generally to remove an incentive to industry. Sometimes however want does not act as a stimulus to exertion; in some cases long-continued poverty seems to deaden the activities, as it is said to have done with the natives of Harris and other Scotch Isles; elsewhere the habits of the people render them unfitted for the continuous labour of tillage, while they undergo immense privation and long days of unrewarded drudgery in unsuccessful hunting or fishing; or social conditions, such as the class pride of the former conquerors of Bengal (W. W. Hunter, *Annals*, p. 137), may prevent them from engaging in remunerative pursuits. In such cases as these there is very great want, but little industry; and we may therefore say that even if want is an essential, it is not the sole condition of industry.

employment to another have been due, not so much to climatic or physical changes, as to the relations of trade in which its inhabitants have stood to other peoples. Perhaps we may say that physical conditions at any given time impose a limit which prevents a nation's industry from developing on certain sides; but that this limit is to be thought of not as absolute, but as relative to the character and intelligence of the men of that time. Again and again the skill which devotes itself to agricultural improvement or the energy which carries on successful trade has enabled the inhabitants of a barren land to maintain a large population, and to pass the limits which nature had seemed to impose, and had imposed for a time, to their further increase. These physical limits must not be neglected, but their influence is not unfrequently overstated; for each step in industrial progress was after all a new illustration of the truth that it is only as he overcomes nature that man can be really said to advance in the arts of life.

A succession of

10. To follow out the working in our country of these two great factors—energy and foresight,—in the different political and moral conditions of each age, and as limited by the physical obstacles which then opposed themselves,—is to trace the growth of English industry and commerce. But though there has been growth on the whole there have been long periods when there was but little industrial progress, and some epochs which were marked by disintegration and decay. During any period when there has been little change in the political framework or in the moral and physical conditions which affect the play of human skill and foresight, industrial or commercial practice comes, by the force of habit, or custom, or regulation, to assume a definite form. We can easily distinguish several types of industrial organisation which have dominated in turn, which seemed to meet the economic needs of different ages, but each of which has given place, with more or less of social disturbance, to a more vigorous successor. In early times little independent and self-sufficing groups were united in villages, or in large households, where the continued subsistence of the group was the aim of economic administration. Again we find a

industrial organisms of different types,

different type in the more complicated life of the mediæval towns with their organised industry and bitter commercial rivalries; the ambition of one of their citizens was not so much directed to the accumulation of much wealth or to rising out of his class, as to attaining an honoured place in his own gild and among men of his own status. Still later there followed a successful attempt to organise the whole industry and commerce of the country in the manner which would contribute most surely to the maintenance of national power, and the mercantile system dominated over private interests. Each of these different types of economic organisms flourished in England; and through changes in the political framework, or through new discoveries and the consequent removal of physical limits, or through changes of moral opinion, or through the combined action of all these causes, each in turn fell into decay and was displaced. The history of English industry is not a sketch of continuous change in any one direction—say of increasing individual freedom,—but of the growth and subsequent decay of a series of different economic organisms, as they were in turn affected by political, moral or physical conditions. It will be our task to try and understand the growth and working of each in turn, and to seek for indications of the precise causes that brought about its decay.

their rise and decay.

The effectiveness of the later forms.

The story then is not of improvement only, but of growth and decay; the question may be asked whether the later type of industrial organisms is in all respects an improvement on those that went before? Probably in every change in the past there was an admixture of good and evil—as there is in every change now; but from an economic standpoint we cannot hesitate to say that the gain has enormously outweighed the loss. Each newer type of industrial organism superseded its predecessor because it was more vigorous and better adapted to the new conditions of national life; we have powers at our disposal now for providing the necessaries and comforts of life such as William the Conqueror never dreamed of when he determined to secure the wealthy realm of England for his own. The stability of our political life and our command over the forces of nature enable us to

organise and utilise labour as bygone generations could never have done. There can be no doubt as to the effectiveness of the economic instruments now in our hands; hope for the future will urge us to seek to use these instruments better, so that the benefits they confer may be more widely shared, and not to attempt to revert to some less effective type of industrial organism.

Each type was relatively satisfactory.

At the same time it must be confessed that some writers are inclined to do scant justice to the economic systems of the past; they seem to think that because mediæval methods have been superseded, they were always bad, and that because they would be unsuited to our time, they were therefore unsuitable in the days they were actually in vogue. Against such unhistorical judgments, which overlook the relative value of bygone institutions—their value in relation to the circumstances of the time,—it is unnecessary to do more here than utter these few words of protest; the excuse for the modern contempt for things mediæval lies in the fact that in so far as the institutions of a past age survive as mere anachronisms they are likely to be either futile or baneful, and that practical men who see these defects are apt to extend their condemnation to the whole social conditions from which Manorial rights, and City Companies, and Usury Laws have remained. To the historical student on the other hand these very survivals may supply valuable evidence which will help him to solve the problem before him and to understand the working of various bygone institutions, when they were at their best.

Continuity of change

11. Great as the changes have been as one economic organism was superseded by another, they have always been gradual; we shall have to do with growth and decay, not with sudden creations and wholesale destruction. Rural life is now very different from that of eight centuries ago; but year after year the seed has been sown and the harvest reaped, and the people have been fed; industrial processes and trading have been going on all the time, even though there have been constant modifications in their forms from age to age. But we may feel, as we look back on them, that these changes have on the whole worked in the same direction;

and increasing complexity in Society;

there has been a growing complexity in our arrangements and greater differentiation in the industrial organisms. The severance of employments is being carried farther and farther, and functions which were formerly combined in the persons of craftsmen, are now divided between the capitalists and labouring classes. The increase of the means of communication has enabled particular localities to specialise far more than they could formerly do, and this again has led to the organisation of particular industries on an enormous scale. In every direction there has been increasing differentiation and increasing complexity. This increasing differentiation in society has led to a better understanding of the nature of the factors which serve for the production and distribution of wealth; there has not only been progress in the effectiveness of industrial instruments but consequent progress in the clearness of economic ideas. While industrial factors were only working on a small scale, and so long as they were closely intercombined in each branch of trade, it was impossible to analyse them clearly; but with growing complexity of organisation it has become more possible to distinguish the several parts and to name them. The minute description of the different kinds of capital, which we find in modern text-books of Economic Science[1], is possible since capital is deliberately applied in many different directions, and with hopes of gain which are looked for in different forms. But till the fifteenth century, though there were many merchants with large capitals, industrial capital hardly existed either in town or country except as the stock in trade of working men. As a fund which could be transferred from one employment to another, or as an industrial factor which was composed of materials, tools and ready money for wages, it could not be recognised till an employing class arose which had the command of capital and used it in industrial pursuits. Similarly, while the tenant gave his labour and seed on the lord's domain in return for the use of a properly stocked holding, or even when he leased the stock along with the land from the owner, it was not possible to distinguish capital as a factor in agricultural success. Till the operation

increasing clearness in comprehending the conditions of progress.

[1] Marshall's *Economics of Industry*, 19.

of social changes had brought about the modern relation of the landowning and tenant classes in England it was not possible to form the definite conception of rent which has emerged in modern times. Hence it is that as the industry and commerce of the country have developed, reflection upon them has resulted in a clearer understanding of the ways in which they work: we have a more accurate terminology, and a better apprehension of the conditions which are necessary for prosperity and for progress. Increased accuracy in economic ideas has followed the development of industry and commerce; the current use of a new term and the disuse, or perhaps the misuse, of an old one, are most noteworthy tests which show some important development in actual life, or mark the process of decay. During the sixteenth century in particular the change in the use of certain terms was very remarkable; and if we attend to it, we are enabled to realise the extraordinary transformation which was then taking place. A social change may be said to have been completed when it found expression in a new term, or fixed a new connotation on an old one.

Changes in practice and in terminology.

12. When we thus aspire to trace out the first beginnings of any economic change, or to get a clear conception of its final result, we must endeavour to treat economic history as something more than a chronicle of new enterprises and discoveries, or even than a summary of statistics of population and prices; it must include not only the events but the ideas of the time. Among the facts with which we are concerned none are of greater importance than those which show that certain ideas were prevalent during some period, or were beginning to spread at a particular date. It is only as we understand the way in which men viewed the dealing and enterprise of their own time, and can thus enter into their schemes of advancement or their aims at progress, that the whole story may come to possess a living interest for us. We may thus see in it all the play of active human powers, and not seem to be merely undertaking the dissection of disinterred remains or the collection and description of curious relics, as if these were ends in themselves. The political framework and the moral and social ideas have

Events and ideas.

always been an environment which affected contemporary industrial growth, and the record of events in each age is only completed when we have come to understand how the changes in economic conditions reflected themselves in economic ideas and terminology.

III. Method and Divisions.

The method of study differs from those of economic science,

13. From what has been noted above it follows that we cannot, in tracing the growth of industry and commerce in their earlier stages, adopt the principles of division which we habitually use in the present day. Before the distinction between town and country emerges we cannot properly treat either of agriculture, industry or commerce apart from one another; still less can we distinguish between labour, capital and land till the structure of society has assumed a comparatively modern type. Both principles of division come to be useful in connection with the later stages of economic development, but they are not applicable throughout. The mere statement of these preliminary difficulties shows that the method that we pursue in studying the phenomena of the past must be very different from that which is employed by economic science in the present day. Economic science is primarily analytic, severing one class of facts from others, and investigating the different factors which have resulted in, say, a rise of plumbers' wages. But in the earlier condition of society we cannot group our facts thus, and we have far too little information to enable us to "cross-examine the facts[1]" and see what were the important antecedent conditions from which a particular change came forth. It has been hard enough to tell whether the recent depression of prices has been mainly due to the increasing scarcity of gold, to the enormous facilities of production we possess, or to some dislocation, through the imposition of new tariffs, in the commerce of the world. And if it be hard to do this in the present day, it must be still harder to detect the precise influences which brought about the rise of prices in the time

since we cannot cross-examine the facts

so as to interpret particular phenomena

[1] Marshall, *Present Position*, 46.

of Edward VI., or to say how far contemporaries were right in unanimously ascribing it to another factor—the power of dealers to combine and maintain a monopoly in their own interest against the public[1]. While there is so much difficulty in analysing the cause of a well-marked phenomenon in the past, it is still harder to group particular occurrences aright so as to reconstruct a picture of society. Quotations of the prices of each particular article in common use are not really instructive unless we can form some idea of the quality of the article supplied at that price[2]; but even if this difficulty could be met, we cannot construct a satisfactory scheme of the income and expenditure of the fifteenth century labourer unless we know definitely whether he was constantly employed, or whether there were many weeks in the year when he had neither work nor wages[3]. So long as there is much uncertainty about the interpretation of the particular phenomena, we cannot hope to gather from these particulars well-grounded views of the general condition of society. The combination and interaction of causes[4] is the great difficulty with which any student of social phenomena has to contend; but the student of social phenomena in the past must also beware of the danger of accounting for recorded changes by ascribing them to factors which are powerful at the present time, but which have only recently come into operation at all. Economic students who attempt to investigate some remote epoch by the same analytic method which they habitually apply to the economic phenomena of the present may be led to assign an undue importance to one particular condition,—which may have attracted their attention through the unsuspected influence of some prejudice or because it is markedly operative in modern times. Hence the same facts in economic history have been ascribed by different writers to the influence of opposite causes, and the study has been to some extent discredited from the apparent difficulty of reaching solid conclusions. We can only avoid these dangers by endeavouring to pursue an opposite method; we may begin with the political and social environment,

or reconstruct a satisfactory picture of society as a whole.

[1] See below, p. 536

[2] Denton, *Fifteenth Century*, 171.

[3] Denton, *Fifteenth Century*, 219.

[4] Mill, *Logic*, I. 507.

We must begin from the general influences and actual forces in each epoch,

with the influences which are plainly observable in literature and public life; and working from a knowledge of the environment and of the forces actually in operation at any given time, we shall find how far the reported facts about buying and selling, meat and clothing, working and recreation become intelligible. On this method we may hope that, even if our explanation is not complete and needs to be corrected by being supplemented, it will be sound so far as it goes. We shall be better able to guard against the danger of generalising hastily from a few particulars. Most of the information on economic subjects, which has survived from early times, is purely local in character; it is not easy to see its true import, and we have no sufficient data for arguing from the particular cases to the state of the country generally. But in so far as we can get side lights on economic topics from evidence about political conditions or admitted legal rights, we have a useful guide in interpreting the isolated scraps of information[1]. We must seek in each age for the light by which to understand how material sources were then applied to maintain and prolong human life.

so as to avoid serious anachronism.

The chief problems which have to be faced are far less due to want of information than to the difficulty of interpreting the facts which lie to hand; there is a danger of reading modern doctrines into ancient records, and it is most important that we should endeavour to make sure that our explanations are congenial to the spirit of a bygone age; in so far as this can be secured we may at least escape absurd anachronism; while on the other hand, by noting cases where the facts are still unexplained, we may find a direction in which farther investigation of minute detail and the accumulation of new evidence are likely to prove profitable.

Chronological division

On all these grounds it becomes clear that the main divisions must be historical into different periods of time;

[1] The line taken in the following pages on various points which are still in dispute among Historians is due to this difference of method. The general conditions, of language and religion, point to a general subversion of Roman influence, and the particular case of the organisation of rural life is interpreted in accordance with this view (p. 111). So with the alleged power of a wealthy merchant class to oppress artisans in twelfth century towns (p. 337) and with the alleged prosperity of the labourer in the fifteenth century (p. 390).

and since the growth of industry and commerce is so directly dependent on the framework of society at any one time, it may be most convenient to take periods which are marked out by political and social rather than by economic changes. This will give the most convenient arrangement for setting the various events in a fresh light, and thus for obtaining so far as possible a true picture of the economic conditions of each period, and a clear understanding of the reasons for the changes that ensued. Anything that enables us to realise the actual working of institutions in the past and that helps us to have a vivid conception of them, will be of value; but our chief aim must be to exhibit the conditions under which new industrial or commercial developments were called forth, and which rendered each step in the progress inevitable. The broad political divisions in our history are sufficiently marked: the accessions of William I., Edward I., Richard II., Henry VII., Elizabeth, James I., William III., mark very distinct crises. In approaching each new period we shall find it desirable to note first of all the economic importance of the phase of political life on which the nation had entered, and then to put in the forefront the effective force which was guiding economic changes and to trace its influence. Thus royal power after the conquest, legislative action under the Edwards, citizen aims in the fifteenth century, seem to have been the motor forces that came most strikingly into play; it is by watching these powerful factors at work that we get the most convenient clue to the tangled web of the phenomena of early industrial life.

into periods marked by political changes;

the economic forces in each.

There may seem perhaps to be something derogatory to the claims of Political Economy as an independent science, in thus treating the history of economic phenomena in the past as wholly dependent on politics and political changes. But it would be more true to say that the point serves to bring out one of the differences between the historical study and the modern science. The science, as Mill expounded it, is hypothetical and claims to trace the action of economic forces in a well-defined sphere of life, and to show what always tends to happen in so far as they have free play; special political conditions might come in, according to his

Political Economy as hypothetical and independent of Politics;

but Economic History is dependent, in its scope

view, to modify the application of these principles, but not to affect the terms in which they are stated. But with Economic History it is different; the very sphere which we are about to study is conditioned by the political circumstances which have extended or diminished the area over which the English Government and the English race have held sway at different times. Economic forces in modern days may be treated abstractly and regarded as exhibiting the mechanical play of the self-interest of individuals; while the government seems to have no part, but to preserve such security and order that this may operate freely. But History must trace out the conscious efforts, which were made from time to time, to develope the resources and expand the commerce of the realm; such deliberate endeavours were made through political institutions for political objects, and affected our progress for good or for evil.

and divisions.

So too, even the broad distinctions drawn by economists do not serve to give us satisfactory divisions in historical study. We cannot draw a hard and fast line between natural and money economy, or between the age of custom and that of competition, for the practice of competition has gradually succeeded the customary regime here and there; as the use of money has come in, there has been a substitution of a cash nexus for all sorts of customary arrangements. Such foreign trade as existed from the earliest times was always conducted on a moneyed basis; but industry and agriculture have been occasionally affected, and then gradually permeated and transformed, by the use of coinage. We can see that, at one time, even the taxation of the country was chiefly paid in service and in kind; that rents were rendered in food; and that labour got a large portion of its reward in board and lodging and clothes. The valuing of such obligations in terms of money and discharging them in customary payments of coin were improvements which were slowly introduced, first in one department of life and then another. The determination to let such payments be readjusted by competition from time to time, and to give up trying to fix them at fair rates, has been another gradual movement. We cannot date the change itself; but we can choose certain

Gradual introduction of money economy and of competition.

important points in our history, and enquire what parts of our social fabric had been re-adapted at that particular time.

It is not easy to give definite dates to changes in our economic institutions, but it is harder still to apply a precise chronological treatment to the moral and intellectual side of economic life—as the modifications must have been so gradual that we can scarcely hope to estimate their extent at any given date; it is in consequence very difficult to trace the connection between the introduction of new ideas and the course of events. All that can be attempted is to endeavour to set forth, before the beginning of each political period, the aims and ideas which were so generally diffused as to influence action during that period, and to sum up at the end the additional knowledge that had been gained from actual experience in the intervening time. The preambles of statutes and other documents, and the economic literature of each century, give us a series of "dated examples" however, and from them we can generally learn what men thought and what they wished, so that we can better apprehend the meaning of what they did. *Current economic ideas in each period.*

14. In attempting to carry out this double purpose we must rely on evidence of different kinds; though the relation must often be defective through the insufficiency of the information that has come to hand. This is especially true of the earlier periods; while the great difficulty in regard to later times is to make a judicious selection out of the mass of facts that are easily accessible. We must distinguish, however, between different kinds of evidence according as they are of greater or less weight, so as to be able to judge how far any opinion is well founded. Much of our information is drawn from literary evidence; but the documents, which originally had a practical purpose, have a different interest from chronicles that recount events. *The relative importance of different kinds of evidence.*

1. *Literary Evidence. a. Documents.* There may be considerable difficulty in determining whether any document is what it purports to be, but when the critical question is set at rest the evidence it furnishes is indubitable. Statements which are directly borne out by the authority of charters, leases, accounts, &c., may be regarded as unimpeachable. The *Literary evidence.*

chief difficulty in using such documents is due to the fact that their direct application is often very limited, and we may make grave mistakes in arguing from them. How far are the conditions of tenure in this lease typical? How far were the prices in this locality exceptional, or do they represent the general range of prices throughout the country? It is thus that descriptions and reasonings we frame may be quite untrustworthy even when they appear to rest on the firmest possible foundation.

Histories. *b. Histories.* These must differ immensely in value, either as sources for description or explanation, according as the author was more or less honest, and more or less well informed. Historians always have had to rely on the information furnished by others; and it is obvious that for many purposes contemporary chroniclers are less likely to be led into error than those who are writing about the distant past, but even the most careful contemporary may be misinformed as to events that occurred in other localities, or as to the reasons which induced a particular course of conduct. While contemporaries are in a far better position than later writers for describing occurrences, they have not such an immense advantage when they try to explain the circumstances which brought about a change, or to estimate its ultimate importance. A high value attaches to the historical statements in the preambles of the statutes or in royal proclamations; it would scarcely have been worth while to put them forward unless they at least seemed plausible to contemporaries; the authors of such public papers were likely to be well informed, and if they were consciously dishonest, the proof is probably easier than in the case of private persons. Histories give us more or less probable information that covers a wide range in place and time, while documents often supply reliable details. We must take the two together, and while we try to verify history by appealing to documents, we shall often need to turn to history for guidance in interpreting them aright.

Monuments and relics. II. *Monuments and Relics.* Considerable knowledge of the state of the arts at any time may sometimes be derived from the monuments and relics that remain. Buildings may show how far the men of a particular age were acquainted

with the use of particular materials—stone or wood—or particular principles—the use of the arch; frescoes, tapestries or illuminations may be of the greatest possible use; and coins, jewelry or other articles may help us to picture the manner of life of our forefathers at any particular period and their skill in the working of metals. Here also we must contend with the critical difficulties as to the character and date of monuments or relics, and we may mistake imported for native workmanship; but we have at all events an important source of subsidiary information which may help us to picture different periods of the past more clearly.

III. *Survivals.* The maintenance of a custom or institution which has come to be a sinecure or an anachronism may also be of great value as evidence; such things testify to the existence of a time when society was so constructed that they discharged some real function. There were many municipal officials in the unreformed burghs of the last century,—haywards, molecatchers, pinders and others,—whose existence as municipal officials would be hard to explain if it were not that the town had grown up from a little agricultural village[1], and that the functionaries who discharged important rural duties, or who were the organs by which the local magnate exercised his control, remain to bear witness of the place as it was in those forgotten times. Even if they discharge no other useful function they testify, by their very existence, to forgotten facts in regard to the origin of the town. *Survivals.*

15. We are not, however, absolutely limited to information drawn from our own land for the history of institutions in England: we may be able to fill up a certain number of gaps by means of the comparative method. There are some parts of the world where institutions now exist which are very similar to those which were at work in England during the middle ages; or the early condition of England was similar to that of other parts of Europe, and light drawn from distant sources may help us to understand what was *The argument from analogy.*

[1] At the same time it must be borne in mind that some arrangements which seem to us very curious may be of comparatively recent origin. Compare Prof. Maitland in *The Survival of Archaic Communities. Law Quarterly*, IX. 36, 211.

going on in our own land. But this method of reasoning must always be used with care; the gilds in Baroda[1] in the present day are similar to the mediæval gilds in England, but they are not identical; we must in all cases prove that the similarity is so close as to justify us in arguing from one to the other, if we are not content to use the modern instance as a more or less apposite illustration rather than an explanation. The causes, which are bringing about the decay of common village life and regulated industry in India, may be similar to those which were at work in former days in England; but the mere presence of an active official body saturated with modern and western ideas is an accelerating, it may be an initiating, force which was wanting among ourselves. The debt which each country owes to other civilisations, its climate and position, and countless other circumstances which are special to it alone, so far affect industrial development and decay in each land that we can rarely get any statement which holds good of all peoples, or lay down with any exactness the "natural progress of opulence." But even if the comparative method fails to give us valuable generalisations or sociological laws, it may serve as a useful adjunct, by enabling us to realise the nature of a social structure, to the existence of which histories and survivals only testify by the merest hints. By contrasting institutions or customs, differing in time and place but with a strong superficial resemblance, we may learn to understand the true character of each; and I have not scrupled to refer, especially in footnotes, to information regarding other countries, which serves to throw light on the economic condition of our own land.

may give us useful illustrations

even if we cannot formulate sociological laws.

English economic development may be taken as typical,

16. In this aspect we may see that the study of English economic history leads us to a standpoint from which we can examine the industrial development of any other country with greater facility and accuracy, since the progress of other lands may be traced most clearly when we have followed out the history of that people who have attained the greatest measure of success. England takes her place among contemporaries

[1] *Gazetteer of Bombay Presidency*, Vol. VII. (1883) pp. 160—162. Compare also F. S. P. Lely on *Trade Guilds of Ahmedabad* in *Gazetteer of Bombay Presidency*, IV. (1879) pp. 106—116.

as the wealthiest of existing nations, and her contribution to human civilisation has not consisted so much in the development of Literature and Art, as was done by Greece, or in creating Law and administering it like Rome, but rather in the triumphs of her enterprise and the success of her industry.

owing to the completeness of our records and comparative isolation.

There are other reasons why the growth of English industry may be taken as typical; the comparative completeness of her records from the times when scattered tribes had not yet come to be a nation till the present day renders it less impossible to trace the course of English than of some other industrial developments. Again, the insular position of England has given a marked character to her civilisation, while the comparative immunity from foreign invasion has rendered it more possible to specify the effects of intercourse with other lands, and of the settlement of foreigners here, than might otherwise be the case. On all these grounds we may feel that the story of English industry may be regarded as typical, and as giving us a useful clue with which to follow out the history of economic progress in other lands and other times.

The study of progress in medieval times may also have a re-assuring effect in regard to controversies in the present day. In looking back we can see that an order has emerged from the chaos, and that large political aims, both for good government within and influence abroad, have gradually asserted themselves. But at each step, the broad issues were obscured by passing occurrences, and narrow and selfish interests. Powerful as these disintegrating factors have been, at every stage, they have not after all been the controlling force; they have only served as the instruments and occasions by which wisdom has asserted itself and the public good has been secured.

I. EARLY HISTORY.

I. Political and Social Environment.

B.C. 55—A.D. 1066.

17. The German tribes, from which the English nation afterwards sprang, are described by Cæsar as only just emerging from a nomadic condition, since they had not secured settled homes. They were an agglomeration of little groups, each of which probably consisted of a joint-family with the closest ties of kindred among the members. The men who composed them were occasionally brought into connection with the members of other families for judicial purposes, and the whole body might be united in the presence of a common danger.

Great changes in political structure 55 B.C.

There was very little complexity in such a social condition. The patriarchal families carried on pasture or arable farming on very primitive lines. In addition to these peaceful avocations, the organising of predatory expeditions appears to have been a regular practice. Enterprising leaders attached to themselves a devoted personal following, who had a part in the riches and the spoils of any venture. But the ties of blood, and of personal loyalty, sufficed to hold society together, and to determine the obligations of each individual towards his neighbours and his claims upon them. If we contrast the position of their English descendants a thousand years later, as it is pictured for us in the *Domesday Survey*, we cannot but be struck by the extraordinary revolution which had taken place in the condition of the people. The English were no longer a mere congeries of septs, but a nation with complicated political institutions; they had been so long settled in the island they had con-

1086 A.D.

quered that they had become a clearly defined people, ruled from a single centre. As early as the seventh century the kings of Northumbria had established such influence over the other English kingdoms, that they could organise a national fiscal system, in which the obligations of each tribe were estimated according to the hundreds[1]. As the kingly power was more successfully asserted, an official class, who were at once dependent on and representatives of royalty, came more and more to the front, and right could be enforced without regard to the claims of kindred[2]. B.C. 55—A.D. 1066.

18. While there was this striking change in the political structure, there may well have been great differences in the tone of social feeling; but of this we cannot easily judge, as we have no real means of estimating the nature of the customary morality of the primitive English tribes. The unqualified praise which Tacitus bestowed upon them has been echoed by later writers[3]; and the careful investigation of the relics that remain, in their places of burial and elsewhere, goes to show that they were not mere savages, while in their primitive condition and still uninfluenced by Roman civilisation[4]. On the other hand, some of those who have devoted themselves to the study of their laws are less favourably impressed[5]. But whatever their virtues or vices may have been, the acknowledged right of each freeman to appeal to the judgment of the sword, and their habit of pursuing warfare as a regular business, prevented them from settling down at once into well-ordered society, and survived as disturbing elements for many generations. *The customary morality of the primitive tribes*

These practices however fell more and more into disuse; but other influences came into operation soon after the English took up their abode in Britain, and became more 449 A.D.

[1] W. J. Corbett, *The Tribal Hidages* in *Trans. R. Hist. Soc.* XIV. 207.

[2] Compare *Judicia Civitatis Londoniæ*, viii. and Seebohm, *Tribal Custom in Anglo-Saxon Law*, 415.

[3] Montesquieu, who was somewhat influenced by the "noble savage" theory which was current in his days, ascribed the excellence of the modern English constitution to their primitive wisdom, *Esprit des Lois*, XI. 6.

[4] "He was in fact a thorough gentleman, and the proof of it lies in his perceiving that woman was to be revered as well as loved." Hodgetts, *Older England*, 104.

[5] "They possessed no several estate, and were steeped in the squalor of unintelligent poverty." Coote, *Romans of Britain*, 447.

B.C. 55—A.D. 1066.

powerful in the succeeding centuries. The Christian Church worked along with royalty in endeavouring to restrict the irresponsible power of great men with numerous kindred[1]. The enforcement of law and the security of property were favoured by the exertions of the clergy, and society became more orderly. Nor was the labourer forgotten; the traffic in slaves was greatly discountenanced, the lot of the serf was improved, and the worker came to enjoy a weekly holiday on Sundays. While the influence of the Church was thus effective internally, it also served to re-establish a closer connection between England and the Continent, and to encourage the development of foreign trade. The efforts of these Christian missionaries are well worthy of our attention, as they were not merely religious teachers, but the agents through whom the English came into real contact with the heritage of civilised life which had survived the destruction of the Roman Empire. Before they landed in Britain the English had been almost uninfluenced by Rome[2]; and the balance of evidence seems to show that they had little opportunity of deriving many elements of culture from such remains of Imperial civilisation as they found when they entered on possession[3]. We are consequently forced to believe that in so far as elements of Roman Law or the practice of Roman arts appear in England before the Norman Conquest, it is probably because they had been re-introduced through ecclesiastical influence.

modified by Christian influence,

and by the remains of Roman civilisation.

II. The English in Frisia.

B.C. 55.

19. The earliest evidence which we possess in regard to those Germans among whom the English tribes were included[4], dates from a time when they had not completely

[1] A parallel movement is noticeable in the restrictions of private war: Semichon, *Paix et Trêve de Dieu*, cc. i. ii.

[2] Coote, *Romans of Britain*, 447, but see below, p. 49, note 1, also p. 50.

[3] See below, pp. 59, 107.

[4] In this sketch it has not seemed necessary to attempt to distinguish the English from other German tribes. Linguistic affinities show that they came of the Low German stock (Grimm, *Geschichte der deutschen Sprache*, p. 658). The Saxons have been identified with the Ingaevones of Tacitus. (*Germ.* c. 2.) Zeuss (*Deutschen u. Nachbarstämme*, pp. 150, 380) gives the earlier notice of these names,

emerged from a nomadic state[1]: apart from this direct evidence we might have inferred on general grounds that they must have pursued a pastoral life at some period. If the Teutonic peoples really migrated from the Asiatic steppes, their original economy must have been of this character; while the wandering of a tribe—not the incursion of a horde of conquerors—is scarcely intelligible unless we suppose them accompanied and supported by their flocks and herds[2]. One most important occasion for the wandering of such tribes must have been a lack of fodder, and they would take the direction which presented the least obstacles to their continued livelihood from their herds. Level plains and river courses would offer favourite lines of progress; while the rapid multiplication, which seems to have continued in the regions from which they came, would always urge an onward movement. But at length they would find themselves opposed by obstacles which prevented any farther advance[3]; there were no means of transport by which a nomadic people could convey their herds across the German Ocean, while the Roman armies prevented the farther progress of the barbarian tribes, as tribes. In some such way as this the English were forced to settle down on the strip of land in Frisia, where they were sooner or later compelled to eke out their subsistence from their herds by means of tillage. From thence they subsequently emerged to conquer Britain.

B C. 55—A.D. 449.

The primitive English as nomadic and occupying Frisia.

The descriptions which we read of nomadic peoples in the present day[4], enable us to form a fairly clear idea of the economy of similar tribes long ago. In the management of the herd, in successful breeding and training, there is op-

Nomadic economy.

and in pp. 490—501 an account of the tribes at the time of the invasion of Britain and subsequently; they are mentioned by name by Ptolemæus as dwelling at the mouth of the Elbe, in close association with the Angli and Suevi, who were probably identical. Portions of the tribes continued in the old settlements, and as Old Saxons preserved their ancient customs (A.D. 730) till at least the time of Bede. (*Hist. Ecc.* v. 10.)

[1] *De Bello Gallico*, IV. 1, Neque multum frumento, sed maximam partem lacte atque pecore vivunt, multumque sunt in venationibus.

[2] L. Morgan (*Ancient Society*, p. 21) points out that tribes have sometimes been supported in long migrations by fishing in the rivers the course of which they followed.

[3] The conditions which lead to such a settlement are well discussed by A. E. F. Schäffle, *Bau und Leben des socialen Körpers*, III. p. 127.

[4] Roscher, *Nat. d. Ackerbaues*, p. 30.

B.C. 55—A.D. 449.

portunity for the constant exercise of forethought and skill. The land over which the cattle range is not appropriated. Each family however possesses its own herd; and there may also be an understanding, for mutual convenience, between two septs or families, as to the runs which their cattle are to occupy respectively[1]. When we bear in mind these facts as to the general character of such tribes, we shall be in a better position for interpreting the hints which Cæsar gives us in regard to some matters of detail.

Evidence of Cæsar.

War and the chase.

They were, as he tells us, mostly occupied with hunting and warfare[2], and they derived subsistence from their herds and the spoils of the chase; but they hardly devoted themselves to agriculture at all. Under these circumstances it is quite clear that the assignment of land[3] which Cæsar describes, must either have been forest for game or pasturage for cattle; in any case it was waste land they wished to use, as they could have little interest in securing possession of fields that were suitable for tillage. What they wished to have was the right to use a well-stocked waste, and the lands thus assigned were common to the members of a particular family or sept for the time being, and were not held in severalty.

Use and assignment of waste.

The agriculture of migratory peoples.

We cannot be surprised at reading of a people in this imperfectly settled condition that they had no permanent houses; their dwellings were only roughly put together to serve as a temporary shelter[4]. But it does not necessarily

[1] Genesis xiii. 11, 12.

[2] Vita omnis in venationibus atque in studiis rei militaris consistit....Agriculturæ non student, majorque pars victus eorum in lacte, caseo, carne consistit. Cæsar, *B. G.* VI. 21, 22.

[3] Neque quisquam agri modum certum aut fines habet proprios: sed magistratus ac principes in annos singulos gentibus cognationibusque hominum, qui una coierunt, quantum et quo loco visum est agri attribuunt, atque anno post alio transire cogunt. *B. G.* VI. 22.

The following passage is also of interest, though it may refer to a temporary emergency.

Hi centum pagos habere dicuntur, ex quibus quotannis singula milia armatorum bellandi causa ex finibus educunt. Reliqui, qui domi manserunt, se atque illos alunt. Hi rursus in vicem anno post in armis sunt, illi domi remanent. Sic neque agricultura nec ratio atque usus belli intermittitur. Cæsar, *B. G.* IV. 1. Compare also Alfred's organisation for defence against the Danes. *English Chronicle*, 894.

[4] *B. G.* VI. 22. Hanssen (*Agrarhistorische Abhand.* I. 93), who discusses the

follow that they were so wholly ignorant of tillage that they did not practise it at all. Primitive agriculture is perfectly consistent with a very migratory life. Some migratory tribes in the present day diversify the monotony of their life by occasionally growing a crop[1], and since, according to Cæsar, the German tribes settled in the same district it was at all events possible for them to practise agriculture in this primitive form, as an adjunct to their other supplies[2]. B.C. 55—A.D. 449.

20. There are indeed positive advantages in the method of tillage which consists in clearing the land to take a single crop, and then letting it go wild again, while the same process is repeated elsewhere. By such *extensive* culture, full advantage is taken of the natural fertility of the soil; the system often maintains itself side by side with methods of culture that imply far more care and skill: it obtains in Russia now[3]. Extensive tillage, in some form or other, *Extensive culture.*

evidence furnished by Cæsar with considerable care, comes to the conclusion that they had a regular agricultural system, and that the various septs interchanged dwellings as well as lands at the time of the annual redistribution. But the statements already quoted as to their means of subsistence make against the opinion that they were so elaborately organised.

[1] Maize is grown by North American tribes who are still mainly given to hunting and migrating. The Phœnicians, when circumnavigating Africa, wintered on land and grew crops of wheat. Herodotus, IV. 42.

[2] Some pastoral tribes in North Africa prefer to have their herds ranging near their households and lay out arable fields at a distance of some miles. Kovalevsky, *Die oek. Entwickelung Europas*, 53.

[3] Wallace, *Russia*, I. 301. In former days in Aberdeenshire the *out-town* land, which lay at a greater distance from the homestead, was managed on this system, while the *in-town* fields were manured and cropped regularly year after year. *Northern Rural Life*, 20. Similarly the two methods of cultivation are used for different parts of their land by some peasants in India. "The system of tillage is in many respects peculiar. Having first found his level space the husbandman proceeds to build thereon his hut of wicker and thatch. The next step is to clear the soil of stones and brushwood. From the ashes of the earthen grate at which his coarse meal is cooked, from the droppings of his own and his neighbour's cattle, is gathered together a small stock of manure; and this he spreads over the cleared space around his fragile homestead. On the oasis thus created in the midst of wilderness is sown year after year the unwatered spring crop. For the autumn harvest the *goenr* or homestead lands are never tilled. To find a soil for his *kharíf*, the peasant must go farther afield or rather farther ajungle. Sallying forth in March or April, he cuts down the scrubby undergrowth or saplings on some spot outside the *goenr*. These he arranges regularly over the land; and a month or two later, when summer has sufficiently dried their sap, he sets the whole ablaze. The alkali of the ashes forms an excellent manure, and on the first

B.C. 55—A.D. 449.

appears to have been practised in all parts of the world, and it would be quite congruent with the social habits which Cæsar describes. In so far as the English had agriculture, or when they began to engage in agriculture, it was probably on this method, as it would fit in most easily with their other modes of obtaining subsistence.

Evidence of Tacitus. 98 A.D.

21. The well-known passage[1] in the *Germania* of Tacitus describes a state of society which is at first sight not very dissimilar, though from the slight stress laid on other modes of livelihood we may perhaps infer that the tribes were mainly dependent on agriculture at the time when he wrote. "They change the ploughed fields annually, and there is land over." The sentence seems to imply the existence of an *extensive* system, as the phrase "et superest ager" is hardly intelligible unless we interpret it as an indication that the whole extent of the waste was so large that they were able to change the part which they cultivated every year. But there is one point to which Tacitus calls attention in regard to which Cæsar is silent; the range of their wandering was so far restricted that they were in the habit of storing supplies of food. Their villages were curiously irregular to Roman eyes[2], and they may perhaps have occasionally moved

fall of rain the soil is ready for the sowing of the autumn crop. It is obvious of course that this process cannot be repeated yearly. To allow the soil to recoup itself, and the brushwood to grow again, a cycle of fallow years is needed, and as a rule the kharff is reaped but every third autumn." Conybeare, *Note on the Pargana Dudhi of the Mirzapur District*, 14. Compare also Virgil, *Georgics*, I. 84. Illustrations may be found from the habits of different African tribes: the Kafirs remove their entire kraal when the soil is exhausted and break up new ground. *Compendium of Kafir Laws*, p. 150.

Mr Frazer has called my attention to other instances: "Migrations are frequent as the result of a discovery of good soil; sometimes a whole village will migrate to a new place." Folkin on the Madi Tribe, *Proceedings of Royal Soc. of Edinburgh* (1884), XII. 313. See also Winterbottom, *Sierra Leone*, 52. Burmah affords a close parallel to Cæsar's description, as the Karens change their fields annually; they move every two or three years and build new houses to be near their cultivation; "Each village has its own lands; and if they are large in comparison with the inhabitants, they are able to cultivate new fields for six or seven years; but if their lands are small, they are compelled to come back to their former cultivation in three or four years; but after so short a period the jungle on it is too small to produce any good amount of ashes, and the crops are poor." Mason in *Journal of Asiatic Society of Bengal* (1868), XXXVII. 126.

[1] *Germ.* 26. See below, p. 37, note 4.

[2] *Germ.* 16. See below, p. 36, note 4.

their camps as the convenience of pasture ground or the necessities of extensive culture dictated, but they were accustomed to construct subterranean caverns[1] both for the sake of protecting their stores from the severity of the winter, and of concealing them, if necessary, from their enemies. This gives us a somewhat different picture from that of Cæsar, in whose time the tribes appear to have been indifferent to adequate shelter from the changes of the seasons. B.C. 55—A.D. 449. *Subterranean stores.*

It is hardly possible to exaggerate the importance of the step that is implied in this statement; so long as a tribe is migratory they cannot accumulate any store of wealth, such as they must have if they are to set themselves energetically to make the most of the resources of the particular place where they dwell. So soon as they have any opportunities of storing, they may begin to look forward to a more distant future, not merely to next harvest; and they may begin to expend their toil on improvements which will be of value for many years to come. The wandering shepherd is able by migration to shirk the difficulties of overcoming nature[2]; while wealth in the form of herds is not susceptible of in- *Economic importance of opportunities for accumulation,*

[1] There is, as Mr Frazer has pointed out to me, an interesting parallel in the habits of the Kafirs. Mr Kay writes, "It is worthy of remark that although these subterranean storehouses are frequently exposed, and the kraal in which they are made sometimes deserted for weeks and months together, an instance rarely or never occurs of one being broken open, or of its contents being unlawfully taken away. This would be accounted a very heinous offence." *Travels and Researches in Caffraria*, 145.

[2] It is worth while to compare the obstacles to the progress of the lower races. Tribes which live by hunting depend for their existence on being within reach of game: they must follow the herds and have scarcely any means of storing supplies of meat: they have no forethought except for the next few days. As they make no effort to keep up the supply of game, any encroachment on their grounds is a serious danger, and their only hope of having enough lies in exterminating the intruders; hence the ruthlessness of North American Indian wars. They cannot spare the lives of enemies, as they have no means of procuring additional supplies of food. The position of pastoral peoples is very different: by skilful management of their flocks and herds they may have an increased supply of the means of life, and they are able to utilise the services of others in attending to them. Hence among pastoral peoples we find that there is room for the preservation of slaves: the struggle for existence begins to take the form of seeking to develope the resources of nature, instead of that of trying to maintain oneself by keeping down the number of possible competitors. Compare Roscher, *Nat. d. Ackerbaues*, p. 21.

B.C. 55—A.D. 449.

definite increase; scarcity of fodder limits it[1], and the chances of disease and drought render this sort of wealth liable to total destruction from changes in the seasons; there are many natural barriers to the increase of pastoral riches. But the man with a settled store has entered on a mode of life in which there are infinite possibilities of progress; he may obtain and lay up, not one sort of wealth only, but wealth of different kinds, and thus possibilities of trade will arise[2]. Then again his store of wealth enables him to look far ahead and engage in work which will ultimately prove most useful, even though it yields no immediate return; while he may set himself to acquire skill in various directions. The step from located stores to fixed houses is comparatively easy; and when once a tribe has settled in permanent habitations, the prospect of steady progress without assignable limit, in numbers, in national wealth and in culture, really lies open before them.

and their bearing on further progress.

Character of English settlements

22. We have no precise evidence then as to the time when the English entirely relinquished their migratory habits and built permanent houses; but whenever this occurred, the habitations provided were very different from those which the Romans would have reared in occupying a new territory[3]; they would have begun by laying out a city from which, as the centre of the new district, the great roads led into the surrounding country. But the Germans founded no cities and settled in isolated groups as they were attracted by physical conveniences[4], without adopting any regular method of grouping. A comparison of the modes of

as to size

[1] Morgan, *Ancient Society*, pp. 26, 534.

[2] See below, p. 79.

[3] On the laying out of a Roman Colony compare Coote, *Romans in Britain*, 52. "In proofs of centuriation England and Wales are richer than any other Roman country in Europe," ibid. 83.

[4] *Germania*, c. 16: Nullas Germanorum populis urbes habitari, satis notum est: ne pati quidem inter se junctas sedes. Colunt discreti et diversi, ut fons, ut campus, ut nemus placuit. Vicos locant, non in nostrum morem, connexis et cohærentibus ædificiis; suam quisque domum spatio circumdat, sive adversus casus ignis remedium, sive inscitia ædificandi.

Bethmann-Hollweg (*Civil-Prozess*, IV. p. 80) argues that the last two sentences describe two distinct forms of settled habitation, similar to those which are known as the 'joint-undivided-family,' and the 'village community,' and exist side by side in Bengal. The joint undivided family consists of a group of perhaps three generations, who are united by partaking together in common meals, common

settlement adopted by different tribes shows that they were greatly determined in their choice by physical considerations. Little oases on heaths and moors, which could hardly support a village, might be the residence of a household; so might restricted habitable spots on mountains, or in forest glades[1]. There seems to be reason to believe, however, that different races have definite preferences as to the manner of settlement which they adopt, when circumstances allow them to use this discretion[2]. The Celts appear to have preferred isolated dwellings or mere hamlets, but the Germans established themselves in villages[3]. This was the practice of the tribes which Tacitus describes[4], and they made arrange- B.C. 55–A.D. 419. *and situation: their mode of agriculture.*

worship, and who hold common property; while in the village community each head of a family has definite property, as distinguished from the property of other families in the community.

Mr Seebohm (*Village Community*, p. 338) also holds that the two sentences refer to distinct kinds of social groups: the landowners living in scattered homes, with serfs occupying villages (vicos) on their estates.

It seems to be more natural however to regard the second sentence as merely explaining the character of the scattered groups which have been already contrasted with Roman towns. On the German distaste for urban life see Gfrörer, *Papst Gregorius VII.*, VII. 98.

[1] Particular situations might be attractive for the greater security they afforded; we may compare the early settlements of Irish monks. Where no isolated retreat can be obtained, deliberate devastation may be resorted to in self-defence.

Publice maximam putant esse laudem, quam latissime a suis finibus vacare agros: hac re significari, magnum numerum civitatium suam vim sustinere non posse. Itaque una ex parte a Suevis circiter milia passuum sexcenta agri vacare dicuntur. *B. G.* IV. 3. Simul hoc se fore tutiores arbitrantur, repentinæ incursionis timore sublato. *B. G.* VI. 23.

The same system was in vogue in India under native rule. "One of the first things...was to make a good road to connect the capital (of Sawunt Waru) with the seaport Vingorla...One day in confidential mood the Rajah remarked, 'See how this Sahib is spoiling my country by his new road, and what he calls improvements.' I ought perhaps to add, as some excuse for the Rajah, that the traditionary policy of the state was to maintain inaccessibility. Forests, difficult passes, vile roads, thick jungles, were the bulwarks not only of the capital, but of most of the towns and villages." Jacob, *Western India*, p. 120.

[2] Meitzen, *Siedelung und Agrarwesen*, I. 178. Maitland, *Domesday Book and Beyond*, 16.

[3] Meitzen, *op. cit.* I. 46, 168.

[4] Agri, pro numero cultorum, ab universis in vices occupantur: quos mox inter se secundum dignationem partiuntur: facilitatem partiendi camporum spatia præstant: arva per annos mutant, et superest ager. *Germ.* 26.

This passage has given rise to an immense number of different explanations: the interpretation adopted is on the whole that of Waitz (*Verfassungsgeschichte*, I. p. 132) and Hearn (*Aryan Household*, p. 219), though they support it by the use of other readings, which scarcely seem admissible according to the manuscript authority.

B.C. 55—A.D. 449.

ments by authority for regular tillage. "The lands are held by all interchangeably, in proportion to the number of the cultivators; and these they afterwards divide among themselves according to their dignity; the extent of the territory renders the partition easy. They change the ploughed fields annually, and there is land over." From this we gather that an amount of unoccupied land was assigned to each group—not fields, but the waste from which fields could be formed and where all other necessaries could be found. The quantity of unoccupied land thus assigned was, in each case, determined with reference to the number of cultivators, who were to live together on the land and share the advantages it offered for tillage, for fodder and for pasturage.

The rights of each cultivator.

23. If we read the scanty evidence in the light of subsequent practice, it appears that the cultivators in such a patriarchal group enjoyed individual shares of the common resources. They seem to have had separate houses with yards attached (*toft*) and valuable privileges as well. Each one could probably claim some strips in the fields (*arva*) which were under cultivation, as well as a portion of the meadow land from which they cut their hay; and he would use the common land (*ager*) to pasture his cattle, and to cut his fuel. An individual share in these common resources constituted the *higid* of the Germans[1].

Toft.

Higid.

Extensive tillage of the fields in the waste,

(*a*) There is no reason to suppose that the mode of tillage was different from that which was in use in the time of Cæsar; Tacitus remarks that the tribes possessed little agricultural skill, and explicitly states that the cultivation was extensive[2]. Such a condition of course implies that there were no permanent fields, but that a new portion of the *ager* was each year broken up and ploughed by the collective industry of the village. When Tacitus says that they divided the lands among themselves, he can hardly mean that the whole area was broken up into separate holdings, but that each villager received some land to till as his share of the fields

[1] A discussion of the precise extent of these rights as admitted in Germany at a later time will be found in G. L. von Maurer, *Markverfassung*, 63.

[2] Arva per annos mutant, et superest ager. Nec enim cum ubertate et amplitudine soli labore contendunt, ut pomaria conserant, et prata separent, et hortos rigent. *Germ.* 26.

which were newly cleared for crops each year, and that he received it as his for a year only[1]. The man had a right to a portion of the ground which was annually prepared for tillage, but he did not retain any one piece of land except in so far as he always occupied the same house and yard from year to year. B.C. 55—A.D. 449.

(*b*) His share of the hay crop was secured to him in a similar fashion; this, when they became thoroughly settled, was grown year after year on the same part of the village land, as the spot that was best watered or grew the best grass was selected to serve as permanent meadow; it was usually divided into strips, and each villager would have his strip assigned him only for a single season, and when it was ready to cut. This practice obtained in historical times in places where the annual re-assignment of portions of land for tillage did not occur, and it serves at all events to illustrate primitive practice[2]. *rights to meadow*

[1] At Sierra Leone extensive tillage is carried on collectively and "the produce is divided to every family according to its numbers." Winterbottom, *Sierra Leone*, 52. This would be the only certain method of securing equality in the shares: assignment by lot is a means of avoiding unfairness in assigning lands: in some villages in India where certain plots are more favourably situated than others as regards the water supply, the plots are annually re-assigned by lot, so that each may have his chance of getting one of the better bits. The Germans however did not attempt to partition equal shares, but made the division 'according to dignity.' This principle of assignment is found in many English burghs where the custom has obtained of allotting the arable or meadow lands according to the seniority of the burgesses. Nottingham, Berwick, and Laugharne are cases in point. Gomme in *Archaeologia*, XLVI. 411. See below, p. 45, n. 2, for these two principles of assignment among Norsemen. On modes of division for revenue purposes, see E. Thomas, *Revenue of Mughal Empire*, 9.

[2] On the management of meadow compare Vinogradoff, *Villainage in England*, 259. The stock illustration is given by Dr Giles in his *History of Bampton*, p. 79, "The common meadow is laid out by boundary stones into 13 (?) large divisions, technically called layings out. These always remain the same, and each laying out in like manner is divided into four pieces called 'Sets,' First Set, Second, Third and Fourth Sets. Now, as the customs of Aston and Coat are based on the principles of justice and equity between all the commoners, and the Common Meadow is not equally fertile for grass in every part, it becomes desirable to adopt some mode of giving all an equal chance of obtaining the best cuts for their cattle. To effect this, recourse is had to the ballot; and the following mode is practised. From time immemorial there have been sixteen marks established in the village, each of which corresponds with four yard lands, and the whole sixteen consequently represent the 64 yard lands into which the common is divided. A certain number of the tenants, consequently, have the same mark, which they always keep, so that every one of them knows his own. The use of these marks is to enable the tenants

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and rights to common pasturage on the waste

(*c*) In regard to the common rights on the waste little need be added here; it may be noted however that space had to be provided for each community "pro numero cultorum." This limitation may have reference to the necessity of securing sufficient pasturage for the teams of oxen which the cultivators possessed and without which they could not carry on their tillage[1]; more probably, however, it means that they allotted the land, so that the cultivators could carry on extensive culture without being forced to recur to soil already tilled, before several years had elapsed and it had completely recovered[2]. The meadow reverted to the common waste as soon as the hay was harvested[3], and the cattle could pasture there, or on the stubble from which the corn had been removed. Our experience of modern agriculture renders it hard for us to realise the great importance of the common waste in primitive economy. We are apt to think of a prosperous village as one that had good fields with sufficient pasturage attached,

including the meadow and stubble.

every year to draw lots for their portion of the Meadow. When the grass is fit to cut, which will be at different times in different years according to the season, the Grass Stewards and Sixteens summon the tenants to a general meeting, and the following ceremony takes place. Four of the tenants come forward each bearing his mark cut on a piece of wood, as, for example, the 'frying pan,' the 'hern's foot,' the 'bow,' the 'two strokes to the right and one at top,' etc. These four marks are thrown into a hat, and a boy, having shaken up the hat, again draws forth the marks. The first drawn entitles its owner to have his portion of the Common Meadow in 'Set One,' the second drawn in 'Set Two,' and thus four of the tenants having obtained their allotments, four others come forwards, and the same process is repeated until all the tenants have received their allotments....The most singular feature of this very intricate system remains to be told. When the lots are all drawn each man goes, armed with his scythe, and cuts out his mark on the piece of ground which belongs to him, and which in many cases lies in so narrow a strip, that he has not width enough to take a full sweep with his scythe, but is obliged to hack down his grass in an inconvenient manner, as he is best able." This may be a survival, or it may have arisen at a later date from endeavours to manage land, which the burgesses had the right of occupying, in an equitable manner. Prof. Maitland on *Survivals of Archaic Communities* in *Law Quarterly*, IX. 219.

[1] On the reservation of pasture as an adjunct of the holding see Vinogradoff, *Villainage in England*, 261.

[2] "As the natives of the coast are ignorant of the advantages of manure, and probably are too idle to hoe the ground, they never raise two successive crops from the same plantation; a new one is made every year, and the old one remains uncultivated for four, five, six or seven years according to the quantity of land conveniently situated for rice plantations which may be possessed by them." Winterbottom, *Sierra Leone*, 52. See on the Karens above, p. 34, note.

[3] In Wales after the Aftermath was secured (*Vendotian Code*, III. XXV. 27), *Ancient Laws*, p. 160.

but it would be far more true to say that it had ample waste, portions of which were temporarily used for tillage and as meadow. Between harvest and seed time in each year the whole of the village lands once more reverted to the condition of common waste; and if there was only enough of it there could be no fear, under an extensive system of tillage, of failing to secure 'good' arable ground, somewhere or other, in each successive year. B.C. 55—A.D. 449.

Mode of laying out the arable fields each year.

The possession of ample waste was the primary condition for prosperity. So long as this was available, the group need never have recourse to fields already cropped till sufficient time had been allowed for natural recuperation, since unexhausted land lay ready for use continually. They were also saved a great deal of trouble in the actual process of assigning the arable land each year; "facilitatem partiendi camporum spatia præstant." No knowledge of land-surveying was needed in order to lay out the portions of each cultivator, for his holding did not consist of an area of contiguous land like a modern farm, but of a great many separate portions which lay intermingled with the separate portions of the holdings of neighbours. It would appear that as the land was cleared, and broken up by the plough, it was dealt out acre by acre, to each cultivator in turn. If the joint-family consisted of ten households, or 'families' in a more restricted sense, to each of which a share of arable land was assigned, the typical holding of 120 acres allotted to each would consist of 120 separate portions of an acre each, or even of 240 of half an acre, each scattered over an area of 1200 acres, and lying intermingled with the acres allotted to other families. This mode of dealing out the separate acres in turn would of course be convenient if it was desired to give each a fair share[1] of the good and bad

Each holding consisted of many scattered strips intermingled with the strips of other men

[1] Vinogradoff has shown that the desire to secure equality was the determining motive in this system of division. *Villainage in England*, 233—236. The method of allotment which was in vogue among the Welsh, when men associated themselves together and each contributed something to the common plough team and plough, may be compared. The first acre (*erw*) went to the ploughman, the second to the irons, the third to the owner of the 'exterior sod' ox, the fourth to the owner of the 'exterior sward' ox, the fifth to the driver, then to the owners of the other oxen in turn. *Ancient Laws* (*Venedotian Code*, III. xxiv. 3), p. 153, (*Dimetian Code*, II. xix. 1) p. 354. *Leges Wallicæ*, II. xxx. p. 801.

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land in each place. We can understand how the right to have a share (*higid*) should be quite precise though the actual area was still undetermined, and that this right to share might even be treated as a saleable property[1].

No assignable date for the introduction of

24. This is a convenient point at which to look a little farther ahead and describe the next step in social progress: one for which, so far as we can see, the tribes with their located stores were almost ready in the time of Tacitus, though they may not have actually made this advance till a much later date; but we have no direct evidence on the subject and must draw on the knowledge we obtain by comparing the condition of other countries in the present day. Mr Wallace has called attention to the important changes which follow in Russia upon the introduction of more careful tillage[2]. Sooner or later men come by choice to continue cultivating the same land; this may be because a particular plot proves convenient for their fixed dwellings; or it may merely be a result of increasing skill, when they find that by expending labour in manuring the land a better crop can be obtained; and then a system of *intensive* farming will supersede the more slovenly *extensive* tillage. Instead of trying to keep up the supply by taking in a new area, men will employ more care and forethought on the lands already under plough; they will wish to plan their operations with regard to a longer period of time, and will be glad of such conditions of tenure as will enable them to carry out their purpose. The plot that is really well worked one year will retain a certain portion of the advantage for a second[3], a third or a fourth season; and the holder's claim

intensive culture.

[1] Such 'ideal' property is the subject of transfer among Karens. *Journal Asiatic Soc. Bengal*, XXXVII. p. 126.

[2] Wallace, *Russia*, II. 217.

[3] This may be also called the *one field* system, as one plot of ground is cultivated over and over again with the same crop. "In the parish of Alvah, fields to which lime had been applied, were reckoned fit to yield from twelve to nineteen crops of oats in succession. And it was to Kincardineshire that the old school farmer belonged, who, on being complimented on the good appearance of his crop, said, 'It's nae marvel, for it's only the auchteent (eighteenth) crop sin' it gat gweedin' (dunging).'" *Northern Rural Life*, p. 23. If the application of lime or manure appeared to give rise to such long-continued benefits, we can easily understand that villagers who had been at the trouble of improving their plots, would protest against a redistribution.

to get the benefit of his unexhausted improvements will make him desire to retain the use of his land for a longer period than the single year, for which the plot was originally allotted to him. Where intensive culture is well carried on this desire will be felt by most of the members of the community, and few, if any, will wish for a re-allotment of the lands; the custom of annual or even of frequent redistribution will only linger among backward communities; and gradually it falls into disuse altogether. B.C. 55—A.D. 449. *This led to the disuse of annual re-allotment,*

When this revolution occurs, the cultivator still retains the same rights over his house and yard, still has common rights on the common waste, but he has acquired a right to the use of a particular holding of arable land indefinitely, since with the introduction of intensive culture, his share becomes permanently individualised. Under this new order, (*a*) the arable fields are no longer shifted from year to year, but form a portion of the village land which is regularly used for tillage, just as the meadow is regularly used for growing hay; and (*b*) there are permanent allotments to individuals in the arable fields. The villager no longer merely possesses a definite right to share in all parts of the village land, but he is able to claim a particular piece of arable land as his own, together with the right to meadow land and the use of the waste for pasture. His property to use a common phrase is no longer 'ideal' but 'real[1],' since he has not only a right to share, but a right to particular plots as his share. A.D. 449. Whether this change took place before or after the English invasion, whether intensive culture was known to our forefathers when they came here, or, as on the whole seems more probable, was not introduced in Teutonic Europe generally till after that time, it may be impossible to decide with certainty[2]; but it was a change of great importance and *and the definite rights of the cultivator to property are no longer 'ideal' but real.*

[1] Haussen, *Agrar. Abhand.* I. 30.

[2] See below, p. 75; Prof. Jenks' article on *Legal Execution and Land Tenure* (*Eng. Historical Review*, VIII. 417) gives good reason for thinking that intensive culture was not practised in German lands in the sixth century. On the other hand Waitz (*Deutsche Verfassungsgeschichte*, I. p. 121) seems to consider the probabilities are in favour of the supposition that the English were acquainted with the practice at the time of the conquest of Britain. This may be so, but it is worth while to observe that in the time of Tacitus, as in that of Cæsar, they were ignorant of intensive culture in its commonest form; and the survival of

assemblies for the conduct of affairs. In these assemblies the freemen and *nobiles* took part and elected the *principes*, who were their judges and captains; while the captives of war, or those who had lost their freedom through crime, were the mere slaves of the free, with no portions in the soil and no right of defending themselves by arms. At the head of all was the king, elected from among the direct descendants of the gods; a *princeps* in his own hundred, he was seldom called on to exercise any authority over the whole nation; yet when a national council was held he would preside, or if a national migration took place he was the natural leader. B.C. 55—A.D. 449.

The working of the village institutions and customs deserves much closer attention here, as it is more especially of economic significance; unfortunately it has been most frequently discussed in a political aspect, and the subordinate question of the rights and freedom of individuals personally has attracted undue attention. The typical village community seems to have been an enlarged patriarchal family, the members of which worked together on their fields, shared the meadow land, and enjoyed the common use of the waste. We can dimly trace a process by which the shares became more and more individualised, and see that, under changing conditions, there were opportunities for the accretion of new social elements. Though the tie of common blood was the basis of the system, it would be strengthened by a sense of neighbourliness[1], and rendered still firmer because of the convenience it offered for working the soil by associated labour and with combined stock. *The common bond of blood,*

Possibly some groups in England were formed apart from the blood tie by men who were associated for military purposes, and who, having fought side by side, settled down together, under the leadership of a superior who was an embryo manorial lord[2]. In other cases the cultivating *or companionship in war*

[1] The formation and character of the *Markgemeinschaft* in different parts of Germany has been fully discussed by C. T. v. Inama Sternegg, *Deutsche Wirthschaftsgeschichte*, I. 52—92. See also Hanssen, *Agrar. Abhand.* II. 85. The growth of "the joint family into a village community," which seems to be of constant occurrence in India, may be taken as illustrating the process. Phear, *Aryan Village*, 233. Compare also, however, Laveleye, *Prim. Property*, 181.

[2] Earle, *Land Charters*, lv. lxx. Such would be the apportionments of land mentioned in the *English Chronicle* in 876 when "Halfdene apportioned the lands

B.C. 55—A.D. 449. *or in defeat.*

group might consist of men who were reduced to subjection by the invading English. Agricultural practice, as well as internal relations between the members of such groups, might be very similar even when there were great differences of social status between the men who formed one group and those who formed another. Those who were the mere serfs of some neighbouring lord, and owed him a large share of their produce, might yet regulate their common affairs by the same sort of rules and by means of officials such as directed the work of free cultivators, who were only occasionally and nominally controlled by political or military superiors. If we make an allowance for these different degrees of freedom, we may say that the village community, as an agricultural unit, is a world-wide institution, and we may draw on the information furnished by other countries, in order to fill out the bald outlines indicated by survivals of these groups as they existed among the English tribes. The much debated question as to the measure of dependence or freedom which any of these village communities possessed at any time in our land may be reserved for such remark as seems necessary below[1]. In order that the common tillage, and due management of the meadow land, as well as of the waste which supplied fuel, wood for building, and so forth to each village community, might be carried on, it was obviously necessary that there should be some administration. This has generally been committed by the assembled householders to one man, who undertakes the duties for a year[2]. In

The village community a world-wide institution.

of Northumbria, and they thenceforth continued ploughing and tilling them," or in 880 when East Anglia was apportioned. We hear that in the apportionment of land in Iceland, which was taking place about the same time, regard was had to the position of "the ship's company in the mother country" (N. L. Beamish, *Discovery of America*, v.), though sometimes they cast lots instead of apportioning according to dignity. In the *Saga of Thorfinn Karlsefne* it is related that when the ship of Bjarni, the discoverer of America, was found to be sinking from borings by the *teredo*, and they were forced to take to a small boat which would not hold all the crew, the captain generously said, "It is my counsel that lots should be drawn, for it shall not be according to rank." The lot fell on Bjarni to go in the boat, but he gave up his place to an Icelandic man "who was desirous to live," and went back to the sinking ship. Beamish, *Discovery of America*, 104.

[1] See §§ 46, 47.

[2] Compare Altenstadt in 1485. "Das man alle jare nach Sant Walburgendag so man erst mag ein merkerding halten sol, vnd alle ampt bestellen, nhemlich so sal

Russia the office of headman is a burden which everybody is anxious to escape[1]; in other cases the administration appears to have been hereditary in a leading family from the earliest formation of the community, for it certainly does not always seem possible to derive the individual from the communal rights[2]. However this may be, we know that even at the first there was no equality[3], but a difference of status and therefore of wealth among the members of the community; and as time went on these differences sometimes became more decided so as eventually to break up the system altogether[4].

B.C. 55—A.D. 149. *The headman.*

ein oberster merckermeister vnd ein vndermerkermeister die das vergangen jar merckermeister gewest sein, das merckerding besiczen, und soln die rugen horen,... vnd wan das also geschehen ist, so sal der vndermerckermeister vnd alle furster dem obersten merckermeister ire iglichen ampt vffgeben in sein hant, vnd wan sie das gethan, so sal der oberst merckermeister die mercker ermanen vnd sie heissen widder ein vndermerckermeister zu kiesen, das sie dan also thon saln, das auch rechtlichenn also herkommen ist, vnd dieselbenn, die also daruber gekorn werdenn, soln ein obersten merckermeister uber ire ampt geloben vnd zu den heiligenn schwerenn, der marg recht zu thun und niemant vnrecht." Grimm, *Weisthumer*, III. 453.

[1] D. M. Wallace, *Russia*, I. 168. Compare also in Sierra Leone: "The Headman of the village claims from the general stock as much rice as, when poured over his head, standing erect, will reach to his mouth. This quantity is scarcely adequate to the expense which he incurs by exercising that hospitality to strangers and others, which is expected of him as a duty attached to his office." Winterbottom, *Sierra Leone*, 53.

[2] Hearn, *Aryan Household*, p. 232.

[3] Tacitus, *Germania*, 26; cf. Phear, *Aryan Village*, p. 235. See above p. 39, note 1.

[4] The village community is a very widely diffused institution: it may be in a sense natural to a people who take to a settled life when the simple co-operation of labour is required for carrying on agricultural operations: the labour of slaves can be organised by their master, but that of men who are in any sense free must be organised by themselves through the appointment of a directing head. Various elements in the institution are discussed with much discrimination by Mr G. L. Gomme, *The Village Community*. A general sketch will be found in Sir Henry Maine's *Village Communities;* other points are brought out in Dr Hearn's *Aryan Household*. A good account of the system as actually existing is given by Mr C. L. Tupper (*Punjab Customary Law*, II. 1—62, III. 128—152) and by Sir John Phear (*Aryan Village*) for India and Ceylon; by Sir D. Mackenzie Wallace in *Russia* (I. 149 f.) and by M. Kovalevsky in *Modern Customs and Ancient Laws of Russia* (p. 69); by M. Laveleye for other parts of Europe in his *Primitive Property*, where many survivals are noted. Various degrees of permanency of individual possession within the community are distinguished by Meitzen, *op. cit.* III. 574.

The history and changes in the institution in Germany are fully described by C. T. v. Inama Sternegg (*Deutsche Wirthschaftsgeschichte*, I. 52—92); the different degrees of freedom and inequality of possession among the members of these communities are fully brought out; while stress is laid on the social and economic side

B.C. 55—A.D. 449.

26. From what we know of the habits of our forefathers we must feel that they had made considerable progress in the industrial arts. Their powers of locomotion, both by land and sea, show that they could construct wheeled vehicles[1], and handle their ships[2]. But the most definite evidence in regard to their mechanical skill is drawn from the relics which have been preserved; ancient swords, shields, and other implements can be identified by their forms, or by the special type of ornament, as of purely English manufacture, and these speak decisively to the skill of the men who made them. In regard to such points it may be worth while to quote the opinions of specialists.

Industrial Arts.

Swords.

Coinage. There seems to be good reason to believe that the English were acquainted with the use of money before they migrated

of the institution, and its political importance is minimised. This distinction was not sufficiently recognised by von Maurer in his classical work on the subject of *Markverfassung*. The corresponding changes in England can be partly traced with the help of Kemble, *Saxons in England* (I. pp. 35—71), Stubbs, *Constitutional History* (I. pp. 33, 49), and Nasse, *Land Community*, also Scrutton, *Common Fields*, p. 8. Mr Kemble did great service at the time he wrote, but his conclusions on almost every point have been modified by later investigators. There is a temptation to adopt for England what has been worked out for Germany, instead of investigating the phænomena as they occurred here. By far the most thorough examination of the English evidence is to be found in Mr G. L. Gomme's *Village Community*. He adduces good reasons against accepting the conclusion at which Mr Seebohm arrived that all the communities in England were originally servile, but the facts collected and arranged by Mr Seebohm in the *English Village Community* are of the greatest interest, even though there be a difference of opinion about the manner in which they are to be interpreted.

Mr Palmer in his *Ancient Tenures on the Marches of Wales* calls attention (p. 115) to evidence of pre-manorial freedom and joint-proprietorship of lands by a family group. The historians of Ireland and Scotland have noted a state of society which was somewhat similar, though modified by a strong feeling of kinship and respect for the head of the sept: see Sullivan's introduction to O'Curry's *Manners and Customs of the Ancient Irish*, I. cxxxi—cxcvi, and a history of early tenures in Mr Skene's *Celtic Scotland*, III. pp. 139, 215.

It is interesting to find traces of the same institution among a Semitic people, and to examine the incidental allusions in the Bible to the land system of the Israelites. For the first settlement see J. Fenton in the *Theological Review*, XIV. 489; and for an admirable account of the changes as well see the *Church Quarterly Review*, X. p. 401.

[1] In which apparently their wives and children could be conveyed. Cæsar, *B. G.* I. 51. Tacitus, *Germania*, 7, 18. *Hist.* VI. 18. Procopius, *De Bello Goth.* I. 1. *De Bello Vandal.* II. 3.

[2] The ships of the Germans in the time of Tacitus had not sails; on their ships and those of the Vikings compare Montelius, *Sweden*, p. 115, and Keary, *Vikings*, 22, 140.

to Britain. The whole system of Wergilds is very primitive, and appears to have been organised in a state of society when cattle were the ordinary form of wealth; but Mr Seebohm has shown that the parallelism between Anglo-Saxon and continental practice extends to the money payments which were enforced[1]. If money was demanded in composition for crimes it was doubtless in circulation for purposes of trade[2]. B.C. 55–A.D. 449.

The evidence of relics shows that they had other elements of culture. Dr Guest argues[3] that the earlier entries in the *English Chronicle* may have been records inscribed on staves, and arranged like those of a 'bardic frame.' "As to the characters in which these events were recorded, what could they be but the 'runes' which our ancestors brought with them into the island, and which, even after the Roman letters had been introduced by Christian missionaries, were regarded with so much favour that we often find them transcribed in our MSS. even as late as the thirteenth century with the title '*Alphabetum Anglicum*' written over them." *Chronicles and Runes.*

Their skill in other arts may be seen from the equipment of the great warrior who is represented in Teutonic Legend as not despising the craftsman's skill, but as well able to fashion the blade he wielded; he had a sword with a double-edged blade of steel and a shield with a rich boss. Specimens of these survive to bear witness about the state of the arts as practised among our forefathers in their pre-Christian days[4], *Warriors as craftsmen.*

[1] Seebohm, *Tribal Custom in Anglo-Saxon Law*, 438.

[2] The evidence drawn from the Anglo-Saxon dooms does not appear to be confirmed, as was argued in other editions of this work, by the character of the Anglo-Saxon coins. "Amongst the almost innumerably various types which are found upon the Anglo-Saxon money, there are only two known which can with any possibility be derived from the Romans." (Ruding, *Annals of the Coinage*, I. 101.) More recent investigation seems to show that the Anglo-Saxon silver coinage was not primitive, but was derived from that of the Franks in Merovingian times. Mr Keary holds that the Roman coinage did influence the Anglo-Saxon types, but that the actual introduction of an English coinage "was not due to the influence of the Roman currency but to.....that of the Frankish currency upon the other side of the Channel." (*Catalogue*, I. xi.) Roman civilisation did not survive in Britain so as to be a dominating influence on English trading practice.

[3] *Early English Settlements* from *Transactions of the Archæological Institute*, 1849, p. 39. On Roman influence in Scandinavia compare Montelius, *Sweden*, 97.

[4] Numerous illustrations of the relics found in graves are given by Du Chaillu, in *The Viking Age*. Hodgetts (*Older England*, 16) describes the warrior's equip-

B.C. 55—A.D. 449. and these may be fairly taken as showing what their native genius apart from foreign influence was able to accomplish.

Warfare and Agriculture. 27. When we see how much of their skill was directed to the manufacture of arms and adornments for the warrior we may learn what a large part warfare played in their ordinary life; it could be carried on without disturbing the territorial system already described. We have an B.C. 55. instance of a great defensive war in which the Suevi engaged, half of them being under arms, and half occupied in tillage every year; the village system rendered this arrangement possible and it was adopted by the English at a much later date as giving the best systematic defence against A.D. 894. the Danes[1]. Again we find members of these tribes employed by the Romans as mercenaries under their own leaders, not merely recruited from German settlements within the limits of the Empire[2], although such settlements existed. But much more important schooling in warfare was *Piracy.* obtained by piracy; this was the recognised business of many of the people, and offered a constant opening for the employ- *Increase of population.* ment of the surplus population. What may be the conditions which render a nation so specially prolific as English tribes appear to have been at that time are hardly known[3]; but it is commonly said that peoples just emerging out of barbarism exhibit a suddenly increased power of multiplication; partly perhaps because a more settled life is favourable to the nurture of the young. The social conditions which rendered the Germans more prolific than the Romans are

ment as very elaborate indeed. "In the 'Lay of Beowulf,' we find how the war-net is woven by the smith, how the 'ring byrnie' was hard *hand-locked* or riveted, how the iron shirts sang as the warriors marched: how the rings and chains were twisted and woven, but not as women weave, till the war shirt rattles the song of Hilda (Goddess of War) in the air. How the Nichars could not assail Beowulf in the water because of his byrnie, nor could the monsters of the deep tear him because of his linked mail." But coats of mail do not at all events appear to have been common, and there is no satisfactory proof that they were of native manufacture in the fifth century.

[1] *English Chronicle*, 894.

[2] Bethmann-Hollweg, *Die Germanen vor der Völkerwanderung*, p. 78.

[3] They are discussed most ingeniously by Doubleday (*True Law of Population*, 5), who produces much evidence to show that fecundity is connected with privation. See also Roscher, *Political Economy*, II. 297.

alluded to by Tacitus[1]; and these, along with the simplicity and vigour of a young nation, make up the whole explanation that can be offered[2]. B.C. 55—A.D. 449.

The English as pirates

This increase of population gave rise to a surplus which could not be maintained by means of primitive methods of subsistence; but the German's love of wandering is as strong as his love of home, and any leader who started on a life of adventure in foreign parts was likely to find a following. In inland districts these bands doubtless resembled the free-booters who infested the English and Scotch borders, and whose doings are familiar to the readers of the *Monastery* and others of the Waverley Novels; but the tribes that bordered on a sea coast sent out their surplus population to engage in regular piracy along neighbouring shores. The coasts of Normandy and of Britain had suffered for many years from these pirates, so that the officer whose duty it was to repel these attacks had the regular title of *Comes Litoris Saxonici per Britanniam*[3]; indeed these ravages, at the hands of one or other of the northern peoples, continued for centuries,—so long as warfare was prosecuted by the Norsemen as a regular business[4]. A life of piratical adventure had many attractions and was eagerly adopted, while it

ravaging Britain.

[1] *Germania*, 18, 19, 20.

[2] Bethmann-Hollweg, *Die Germ. vor der Völkerwanderung*, 18. *Civil-Prozess*, IV. 104—129.

[3] E. Guest, *Early English Settlements. Proceedings of Archæological Institute*, 1849, p. 33. Another view is taken by Lappenberg, *Saxon Kings*, I. p. 46.

[4] E. G. Geijer (*Poor Laws*, pp. 70, 102) has some interesting remarks on the effect of this continued prosecution of war as a trade on the internal development of Sweden: for its effects on an inland people, see W. W. Hunter, *Rural Bengal*, p. 219. Compare the enumeration of various employments given by Aristotle: *οἱ μεν οὖν βίοι τοσοῦτοι σχεδόν εἰσιν, ὅσοι γε αὐτόφυτον ἔχουσι τὴν ἐργασίαν καὶ μὴ δι' ἀλλαγῆς καὶ καπηλείας πορίζονται τὴν τροφήν, νομαδικὸς γεωργικὸς ληστρικὸς ἁλιευτικὸς θηρευτικός.* The pirate's employment is treated of as a subdivision of the larger class of men who get their living by the chase. *Politics*, I. c. 8, §§ 7, 8. See also the Cyclops' enquiry of Ulysses:

Ὦ ξεῖνοι, τίνες ἐστέ; πόθεν πλεῖθ' ὑγρὰ κέλευθα;
Ἦ τι κατὰ πρῆξιν ἢ μαψιδίως ἀλάλησθε
Οἷά τε λῃστῆρες ὑπείρ ἅλα; τοί τ' ἀλόωνται
Ψυχὰς παρθέμενοι, κακὸν ἀλλοδαποῖσι φέροντες. *Od.* IX. 252.

Thucydides calls attention to this state of things as evidence of a very different state of feeling to that of his own day. (I. c. 5.) On the curious revival of piracy in New England at the close of the seventeenth century, compare Weeden, *Economic and Social History*, I. 344.

B.C. 55—A.D. 449.

was readily adapted to institutions which survived from times when war was necessary, not merely for the maintenance of some, but for the defence of all. This mode of life gave rise to a generally recognised social institution; the princeps gathered a comitatus, who were bound by the closest of all ties to fight in his behalf and act as a permanent force, or as a body of freebooters or pirates when the tribe became more settled. It is indeed a question, whether these pirate bands did not serve another purpose. We have seen in the preceding paragraph that there is at least a strong probability that the German tribes were accustomed to trading, and that they made use of materials which must have been imported from distant lands. It would seem most likely that this was accomplished by means of these expeditions, and that the shipmen did a little commerce when there was no satisfactory opportunity for plundering[1]. There is abundant evidence to show that in the fourteenth, and even in the sixteenth, century, commercial and piratical transactions were not completely differentiated; and we may take these early expeditions as the beginning of our merchant shipping, as well as of our naval prowess and attempts at colonisation.

Organisation of predatory bands,

and connection with commerce.

Temporary settlements

It is not always possible to distinguish the ravages com-

[1] The life of Anskar (Migne, CXVIII. 959) gives a good many interesting hints as to northern commerce in the ninth century. He built a church at Sleswick, which was one of the great trading centres, with the special object of reaching the merchants (c. 41); and missionary work suffered more than once from the depredations of pirates (cc. 16, 22, 29). The merchants of 'Byrca,' which is described as a very wealthy depot of trade, failed to organise resistance against a viking and his naval mercenaries (c. 28); fighting was so frequent that there was no security for property; and the bishopric of Hamburg was endowed with a cell in Flanders (c. 19), which was comparatively safe. There was very little improvement during the next two hundred years, for the close connection between trade and piracy comes out in many of the Sagas. In *Harald Haarfager's Saga*, c. 38, it is related that Biorn went but little on war expeditions, but devoted himself to commerce with success (Laing, *Chronicle of Kings of Norway*, I. 305). In the *Saga of King Olaf the Saint*, c. 62, we read that the people "had much trading intercourse with England and Saxony and Flanders and Denmark, and some had been on viking expeditions, and had had their winter abode in Christian lands" (Laing, II. 62). The slave dealer would appear in each character alternately when on an expedition, or selling at a fair. See also Streatfield, *Lincolnshire and the Danes*, 101, 103. Keary (*Vikings*, 183) mentions a pair of scales, found along with his war-gear in the tomb of a viking, as a "curious type of the double nature of his life as a soldier and a tradesman."

mitted by such bands from the migrations of a tribe that found their quarters uncomfortably contracted; for the pirates might settle for a time as the best means of securing the spoils, and the fort thus formed become a centre to which their countrymen migrated; nor was very much more preparation required for the one expedition than for the other. Their wives and children were stowed in the wagons their oxen drew, so that a portion of any tribe could swarm off by land transit to quarters that were unpeopled or weakly defended, and their ships would give similar or even greater facilities. But we hear of cases where migrations were due to special causes which drove a tribe from its home; such was the migration of the Usipetes from the neighbourhood of the victorious Suevi[1]; or of the Cimbri when driven from their homes on the Danish peninsula by the inundations of the sea[2]. The great incursions of the English into Britain were not improbably partly due to a similar destruction of their homes; the people would thus be forced to migrate as a body, instead of merely sending out bands of marauders or comparatively small bodies of settlers. The first raids would however be made by bands of warriors; and each new wave of invasion which came from across the sea, or which rose among the English settlers and drove the Welsh farther and farther toward the West, would be of the same type[3]. It was thus that the bold enriched themselves with spoil, or procured estates as the reward which the princeps bestowed on their valour.

B.C. 55—A.D. 449. *and regular migrations.*

B.C. 55.

A.D. 755.

There is great difficulty in piecing these various details together so as to get a real picture of the life of our ancestors in their German homes; for the different traits are so inconsistent, that it seems strange that they could have been combined at all. But the accounts of the migrations of the tribes forbid us to suppose that they had many slaves, and we are forced to believe that the warriors were not mere ruthless savages, but men who were capable of manual labour, and who were skilled in certain crafts. The hero

Summary.

[1] Cæsar, *B. G.* IV. 1, 4.

[2] Bethmann-Hollweg, *Civil-Prozess*, IV. 105.

[3] *English Chronicle*, under 755.

B.C. 55—A.D. 449. was able to forge the blade with which he encountered his foe. It is strange perhaps to think of the warrior as ever betaking himself to the less stirring labours of husbandry, but Cæsar's language in regard to the Suevi is quite conclusive; nor are instances wanting in modern times of tribes that sustained themselves partly by the cultivation of their fields and partly by their plundering expeditions: for many A.D. 1790. years the people of Lower Bengal were subject to the ravages of hill tribes, who yet carried on agriculture of their own during the summer months[1]. The Angles, Saxons and Jutes had a love of adventure and were mainly engaged as warriors, but the very stories of their piratical expeditions themselves are inexplicable unless we recognise that the same men who fought so ruthlessly were skilful craftsmen, and were not wholly averse to tillage.

III. The Conquest of Britain.

A.D. 400—577. *Britain in the fifth century.* 28. The preceding paragraphs have described the condition of our forefathers while they were still living in Germany and before they undertook the conquest of Britain; it is worth while now to turn to examine the state of the land where they fixed their new homes and see what they found on their arrival. This is a preliminary enquiry, on which we must enter before we face the difficult question how far the material progress of the English people was directly and deeply affected by their contact with the remains of Imperial civilisation in Britain. With regard to this we may anticipate the conclusion reached below and state that the historical evidence seems on the whole to show that the subsequent English civilisation was almost entirely a native growth, though elements of Roman lore and skill were indirectly introduced among our countrymen at a later date, by Christian missionaries, and travelling merchants from the continent.

The planting of a Roman Colony: There can of course be no dispute as to the high civilisation which Britain had attained in the second and third

[1] Hunter, *Annals of Rural Bengal*, 219.

centuries. It had been settled like other Roman colonies, and imperial officials had directed the development of its resources. The Roman citizens greatly coveted grants of the broad territories which were subdued by their legions[1], and there was never much difficulty in planting a new *territorium* with such settlers; the tenure on which they held their estates was technically known as *possessio*[2] since the land was theoretically resumable by the State, though as a matter of fact it was hereditary, and licence could be obtained for its alienation. But the old inhabitants were retained as *coloni*, the actual cultivators of the soil to which they were attached, though they had in other respects a considerable amount of personal freedom[3]. But the most important changes were those which were made on the actual land itself. All Roman *territoria* were laid out on one definite plan; roads were made both as great channels of communication, and for the purpose of tillage[4]; these roads served as the limits of the different *centuriae* (of about 200 acres each) into which each *civitas* was divided, while boundaries were marked by mounds, stones or trees, which defined in a permanent manner the limits of the various estates; the rectangular portions thus laid out by the Roman *agrimensores* were designed to be permanent divisions of the soil.

A.D. 400—A.D. 577.

the inhabitants

and estates.

The Romans were accustomed to introduce such animals[5], plants and trees as they thought would flourish in any new colony; the cherry and the vine were brought to Britain by them, as in all probability were a great many forest trees, if the names they bear can be taken as evidence. Mr Coote thinks that some herbs were also introduced, and, among other things, quickset hedges[6]. The whole country as far as Hadrian's Wall was portioned out, and the amount of corn[7] produced must have been very great; the Roman settlers had

Acclimatisation,

[1] H. C. Coote, *Romans of Britain*, p. 239.

[2] Ibid. op. cit. p. 49.

[3] Ibid. op. cit. p. 128.

[4] On the laying out of a colony see Coote, *Romans of Britain*, 42—119.

[5] On differences between the native and Roman breeds of cattle see Prof. Hughes' article in *Royal Agricultural Soc. Journal*, 3rd Series, v. 561.

[6] *Neglected Fact*, 53. For a good summary of the effects of the Roman occupation, see C. H. Pearson's *England in Early and Middle Ages*, I. 55.

[7] According to Zosimus, lib. 3, page 145, eight hundred vessels were sent on one occasion to procure corn for the Roman cities in Germany.

7175

A.D. 400—A.D. 577. *and development of natural resources.*

built numerous cities, and introduced into them the municipal and social institutions, to which they were accustomed in Italy. There is abundant evidence of the high civilisation and large population which existed in the island under Roman occupation. The colonies of Londinium and Verulamium possessed a population of which 70,000 were slaughtered in the days of Boadicea[1]. A later panegyrist[2] describes the rich natural productions, the minerals, flocks and herds, the commercial facilities, and the revenues derived from them, while we also learn that there were fifty-nine cities in Britain about the middle of the third century[3].

A.D. 61.

A.D. 297.

A.D. 250.

Disintegration of Roman society. A.D. 401.

But before the English had made any settlements in Britain this civilisation had received many rude shocks. We read in the pages of Bede how terribly the country suffered after the Roman generals had withdrawn the legions. "From that time, the south part of Britain, destitute of armed soldiers, of martial stores, and of all its active youth, which had been led away by the rashness of the tyrants never to return, was wholly exposed to rapine, as being totally ignorant of the use of weapons." When the Picts and Scots fell upon them and they were unable to defend the rampart which stretched across from Frith to Frith, it seemed that total destruction was inevitable. "Messengers were again sent to Rome, imploring aid, lest their wretched country should be utterly ruined, and the name of a Roman province, so long renowned among them, overthrown by the cruelties of barbarous foreigners, might become utterly contemptible." But when the slight assistance sent in answer to this appeal was finally withdrawn, the ravages recommenced, till "at last the Britons, forsaking

Picts and Scots.

Desertion by Romans. A.D. 410.

[1] Tacitus, *Ann.* XIV. 33.

[2] Eumenius. Et sane non sicut Britanniæ nomen unum, ita mediocris iacturæ erat reipublicæ terra tanto frugum ubere, tanto læta numero pastionum, tot metallorum fluens rivis, tot vectigalibus quæstuosa, tot accincta portubus, tanto immensa circuitu. *Panegyricus Constantio*, c. 11. Merito te omnibus cæli ac soli bonis Natura donavit, in quâ nec rigor est nimius hiemis, nec ardor æstatis, in quâ segetum tanta fecunditas, ut muneribus utrisque sufficiat et Cereris et Liberi, in quâ nemora sine immanibus bestiis, terra sine serpentibus noxiis; contra pecorum mitium innumerabilis multitudo lacte distenta et onusta velleribus. *Panegyricus Constantio*, c. 9.

[3] Ἔχει πόλεις ἐπισήμους νθ'. Marcianus, *Periplus*, II. c. 14.

their cities and wall, took to flight and were dispersed. A.D. 400—A.D. 577.
The enemy pursued and the slaughter was greater than on any former occasion, for the wretched natives were torn in pieces by their enemies, as lambs are torn by wild beasts. Thus being expelled their dwellings and possessions, they saved themselves from starvation by robbing and plundering one another, augmenting foreign calamities by their own domestic broils, till the whole country was left destitute of food, except such as could be procured by the chase[1]." Even if we make considerable allowance for rhetoric, and limit the description to the old Northumbria, in which Bede wrote and which was most exposed to the ravages of the Picts and Scots, the words show that a quarter of a century before the Jutes landed in Thanet Roman society in Britain was entirely disintegrated[2]. Even during this brief period there was no opportunity for recovery, as the ravages of famine, and later of pestilence[3], were added to those of their enemies; and the temporary plenty that ensued for a time did not serve to resuscitate the decaying civilisation. There was besides another cause of weakness, for two distinct parties can be traced in the Roman Province itself; in the person of Ambrosius there was a leader sprung from the old Arturian gens, and his patronymic has come to designate the ideal of Christian heroism; while Vortigern to judge from his Celtic name must have been of a very different stock. Wasted by famine and torn by faction, the Roman province of Britain seemed an easy prey to the 'heathen of the Northern Sea.'

Famine and Faction.

A.D. 426—449.

A.D. 520.

29. All evidence goes to show that the Roman civilisation was completely disintegrated at the time when our forefathers began their invasion; but the Romans and Welsh, though they could not organise an effective resistance and repel the attacks of the English tribes, were too proud to submit to them. As one wave of invasion succeeded another the struggle was carried on; the battle of Deorham may be

Resistance unsuccessful, but the conquered would not submit.

A.D. 577.

[1] Bede, *H. E.* I. c. xii. (Bohn's Series).

[2] A graphic description of the severance between the Roman and Germanic worlds, and of the completeness of the isolation of Britain, is given by Mr C. F. Keary, *Vikings*, 4.

[3] Bede, *H. E.* I. c. xiv.

A.D. 400—A.D. 577.

taken as the really decisive event; but that was not fought till a hundred and twenty years after the conquest of Kent. During all that time the struggle was continued with varying success and with occasional checks. Britain was not rapidly overrun by triumphant victors; but during these one hundred and twenty years, new bands of settlers came from across the sea, or made incursions from the lands which their fathers had won; and thus the country became theirs gradually, shire by shire or hundred by hundred. The precise course of that long-continued struggle may be best treated if it is regarded as a matter of local history. Local dialects help to identify the stock from which the precise band of settlers came; the boundaries of the shire sometimes serve to show the extent of the district which fell into their hands at some battle of which only the name is preserved; while the physical features of the ground may have a tale to tell for those who are skilled to read it[1] and so to reconstruct a forgotten story. The English advanced bit by bit, and the Romans and Welsh gradually gave way as they were worsted time after time by the brute courage of the heathen they despised; the survivors of what had once been a civilised province drew away farther and farther into the western parts of the island rather than submit. They clung desperately to the hope that English victories were a merely temporary chastisement, and they tried to withdraw to places of greater security till the time for which God had permitted this heathen tyranny was overpast[2].

Course of the long-continued struggle.

Gradual withdrawal.

Displacement of old population.

It was not by any sweeping victories but by the gradual displacement which resulted during this long-continued

[1] Compare Dr Guest's excellent paper in the *Transactions of the Archæological Institute*, 1849, on the *Early English Settlements in South Britain*.

[2] "To escape from their (the Saxons') bloody yoke an army of British monks, guiding an entire tribe of men and women, freemen and slaves, embarked in vessels, not made of wood, but of skins sewn together, singing or rather howling under their full sails, the lamentations of the Psalmist, and came to seek an asylum in Armorica and make for themselves another country (A.D. 460—550). This emigration lasted more than a century; and threw a new, but equally Celtic population, into that portion of Gaul which Roman taxations and Barbarian invasion had injured least." Montalembert, *The Monks of the West*, II. 260. On earlier intercourse between Britain and Armorica, see Bridgett, *History of the Holy Eucharist*, I. 28. An excellent illustration of this withdrawal is found in the legend of S. Beino, quoted by Green, *Making of England*, 197.

aggression and retreat, that Roman civilisation was swept away from the greater part of Britain, almost as if it had never been. The centre of the Roman life had been in the towns, but the towns failed to maintain themselves against the invaders. The numbers and skill of the English were not so great that they habitually stormed the Roman defences and destroyed the wretched inhabitants, and the fate of Anderida was probably exceptional. The towns were not however safe places of refuge and could not even maintain a defence; for as soon as the invaders had secured the surrounding country they could ruin trade, even if they did not deliberately cut off supplies. One after another of the great cities which the Romans had built was deserted and decayed. The very sites of some were forgotten; Uriconium, one of the wealthiest of all, had wholly passed out of mind before it was discovered in 1857 [1]; and Silchester has been disinterred from beneath fields which have been ploughed time out of mind. In other cases where the name and site have survived there is clear evidence that the place ceased to be a centre of commercial and civilised life. Had Verulam preserved a continuous existence there would have been no temptation for the population to migrate and build on the other side of the valley where S. Albans now stands. Even though the wall and streets of Chester remain, and though York, Lincoln, and Leicester embody many relics of their Roman times, it is improbable that any of these served as a city of refuge during the storms of the English invasion. Still less likely is it that the orderly habits of civilised Roman life, and the practice of Christian rites, were continuously maintained in these strongholds. There must always be danger in arguing from the mere silence of our authorities, but it seems possible that London had sunk into insignificance [2] before it passed into English hands. The old civilisation had been so disintegrated that the attacks of the invaders could not be repelled, and it even failed to maintain itself in those centres

A.D. 100—A.D. 577.

The towns ruined,

A.D. 191.

or at least destroyed as centres of commerce and civilisation.

[1] Wright, *Uriconium.*

[2] Loftie, *History of London*, I. 51. The attempt to show, from archæological evidence, that the desertion was so complete that the main thoroughfares had fallen into decay appears to rest on a misapprehension. Lethaby, *London before the Conquest*, 88, 150. Compare also Gomme, *op cit.* 48.

A.D. 400—A.D. 577. where it had been most firmly established. There doubtless were many individuals who survived the battles, but failed to escape, whose lives were spared, and who then lived to serve the conquerors in house or field; but Roman society with its language, law, commerce, administration, and religion did not survive in any single locality. In the more northern parts A.D. 633. of England there were districts which maintained their integrity, like the kingdom of Leeds; and there may have been in many other parts hamlets of cultivators who remained on their old lands[1]; but little else weathered the storm. There is no inherent improbability which need compel us to discount the story of destruction and devastation recounted by Bede, Gildas, and Nennius. Despite the similarities between some English and some Roman institutions[2], there is no such identity as to compel us to believe that the English habits were derived from the Romans or that our civilisation is other than a native growth. We owe a debt to Christian missionaries, to Danish adventurers, to Flemish weavers, but there is little which we can ascribe to direct Roman influence surviving in Britain.

The gradual advance of the English,

30. On the territory which was thus gradually vacated the successive tribes of English invaders settled themselves: they were forced to till the ground for supplies, while the war was still waging, and they were doubtless ready for a summons

[1] There are a good many Celtic names preserved in Cambridgeshire; the laws of the Thegns Gild (Cooper, *Annals*, I. 15) imply the continued existence of Welshmen round the town; for it does not seem in this case that 'wealh' merely means foreign to the gild. So too in Wessex itself it seems that some of the Britons were so far successful in resistance as to maintain a footing as landholders (Coote, *Romans of Britain*, 182). For there can be no doubt, that unless the slaughter proceeded from a mere ruthless love of destruction, the proportion of inhabitants who were preserved, in different districts, would vary. The traces of Welsh names are more numerous in Kent than in Sussex: and it seems not improbable that the conquest of the first kingdom was effected with comparative ease, and that there was in this case rather a usurpation than a conquest. In Northumbria the number of inhabitants preserved seems to have been considerable; while the new settlements in the northern part of that kingdom were few and far between. In Cumbria and Strathclyde the chief power remained in Celtic hands, though some of the invaders found homes for themselves in that district; such names as Cunningham in Ayrshire, Penninghame in Wigton, Workington and Harrington in Cumberland, are evidence of these scattered settlements in a Celtic kingdom. The names of their villages are the chief indications of the tide of English conquest.

[2] See below, p. 107.

to take part in it if need were. The men of Kent had been established in their new homes for a century before the West Saxons succeeded in appropriating Bedfordshire[1]. The north folk and the south folk had held East Anglia many years before the East Saxons pushed their way into Hertfordshire and sealed the fate of Verulam[2]; the tide of conquest was still flowing forward long after the period of settlement had begun. It may of course have been true that the first English bands were not cultivators but mere plunderers who made raids on the Saxon shore, and that the mercenaries who took possession of Thanet persisted in drawing supplies from the fields of the Britons in Kent; but the very success of the English conquest rendered it impossible for the advancing tribes to obtain support unless they started tillage on their own account[3]. As each new district was appropriated, crops would be sown, and the arts of agriculture would be practised, in the same sort of way as had been done across the sea; and thus a firm basis was given for the operations of coming campaigns. There was nothing to tempt the English warriors in the remains of Roman cities[4], and as they would have little use for the great roads they would often avoid them; they doubtless settled in little groups as Tacitus describes, as they were attracted by conveniences of wood and water.

A.D. 500—A.D. 577.

A.D. 571.

circa 500 A.D.

and immediate recourse to tillage.

The division of the conquered territory into hundreds seems to suggest that the land was systematically assigned to the victorious armies, and the number of villages, which consisted of ten hides of land[5], favours the idea that some formal occupation was carried out on the lines which Tacitus describes for an earlier era[6].

Method of assignment

Tracts of uncultivated land were apportioned to groups of warriors, and the groups settled here and there as they were

[1] Green, *Making of England*, p. 123.

[2] Ibid. 109 n.

[3] Compare the accounts of the Danes ravaging the country and then settling in it. *English Chronicle*, 876 and 880.

[4] Stubbs, *Constitutional History*, i. 61.

[5] Maitland, *Domesday Book and Beyond*, 390. Compare also Seebohm, *Tribal Custom*, p. 418.

[6] See above, p. 41.

A.D. 400—A.D. 577. attracted by wood or water, to enjoy their hard-earned holdings. The evidence of nomenclature seems to show that several men of the same sept[1] took up land together and formed a village (*tún*)[2]; other groups may have been composed of those who had fought side by side before, and who were ready to go out and serve together again. The amount of land assigned to each such group would naturally depend on the number of the cultivators; and it would then be possible for them to proceed to begin the labour of tillage and assign a holding to each separate family[3]. Whether the arable holdings were apportioned once for all, or whether under a system of extensive culture they were reassigned every year, the method adopted would be similar. The allotment of acres was apparently determined by a desire to give a fair share to each cultivator[4]; as the land was broken up it would be possible to deal out any convenient number of arable acres, which would of course be intermingled to the various members of the group. The members were already organised for military discipline, and police responsibility; and the person who held a leading position for these purposes would have land assigned him "according to his dignity;" but most of the members would personally engage in the labour of tillage. Each would have a house and yard (*toft*) and such a share of land, extensively or intensively cultivated, as a team could plough; he would also have a claim to meadow grass for hay, and a right to pasture his oxen on the waste[5]; but unless the whole account of the English Conquest of Britain has been greatly exaggerated we cannot suppose that so many of the old inhabitants were retained that the conquerors were able to rely wholly and solely on cultivation by dependents; it is much more probable that when not required for warfare, they like the Suevi of former days undertook the actual labour of agriculture themselves. In any case some organisation was needed

to groups of families.

to each of whom a holding of arable acres was dealt.

B.C. 55.

Village organisation.

[1] Kemble, *Saxons in England*, I. App. A.

[2] On the use of this word and the precise sense of township compare Prof. Ashley's article, *Quarterly Journal of Economics*, VIII. 345.

[3] Bede habitually estimates land in this fashion. *Lives of the Abbots of Wearmouth*, §§ 4, 7. [4] Vinogradoff, *Villainage in England*, 236.

[5] On the mode of settlement in Wiltshire, compare Gomme, *op. cit.* 73.

for directing the common work of the village, and the institutions of the village community as already described would serve the purpose; though in any group, where there was a leader who called them to arms, and who was responsible for good order, he may probably have exercised some authority in the administration of rural affairs from the first[1]. The balance of historical evidence seems to be in favour of the opinion that the warriors as they settled formed villages; and that the freemen, who were ready to follow the king in arms, and to assist him by their judgment in the folkmoot, were associated together under their military leaders in villages for the purpose of carrying on the agriculture by which they lived. A.D. 100–A.D. 577.

Some question has been raised as to the existence of groups of cultivators in any other form than as hamlets of servile dependents[2]; but men who were free to dispose of their common property[3] could not have been dependent, and there are other indications that thirteenth century villains had sunk from an original pendant[4]. We are forced by the received accounts of the English Conquest to suppose that the free warriors betook themselves to tillage, for there must have been a general displacement of population to allow of the introduction of a new speech, and the destruction of the Christian religion in the south and east of Britain. The continued existence of a numerous and generally diffused servile population of rural labourers would be incompatible with such sweeping changes. A.D. 1086. *Free cultivators.*

When the lands they had conquered were apportioned among the warriors in townships, a considerable area re-

[1] Earle, *Land Charters*, lxviii. lxxii.

[2] Seebohm, *Village Community*, 179. Ashley, Introduction to Fustel de Coulanges' *Origin of Property*. Compare the discussion of this point below, §§ 46, 47.

[3] Kovalevsky, *Die ock. Entwickelung Europas*, I. 505.

[4] Dr Vinogradoff has analysed the complex structure of thirteenth century villainage with great skill in his *English Village Community*. "Legal theory and political disabilities would fain make it all but slavery; the manorial system ensures it something of the Roman *colonatus*; there is a stock of freedom in it which speaks of Saxon tradition," p. 137. This comes out most clearly in the position of the villain socmen of ancient domain (p. 136), of the hundredors (p. 194), and of men whose servile status had not been proved (p. 85); in the rights of free commoners (p. 277); in the traces of communal holding among free tenants (p. 340), in communal rights (p. 358) and in the procedure of certain courts (p. 382).

A.D. 400—A.D. 577.

mained, much of which was covered with forest[1]; but some of it would be inhabited, as in the case of any surviving Welsh hamlets. Over such land the king had very large claims, and some of it seems to have remained unalienated as the ancient domain of the Crown; but he had also valuable, if somewhat indefinite, rights over the persons and property of the free warriors in their villages, as they could be summoned to fight, or might be heavily fined for various offences, or demands might be made for support. The power to exercise these rights was a valuable possession, and it formed the chief fund for national purposes. The king maintained the public servants and military officers by the temporary grant of land, or rather by the assignment of his rights—whatever they were, or a portion of his rights —within some particular area to one of his *thegns*[2]. The English thegn received his arms from the king, to whom they were returned at his death as a *heriot*; and he was supported by a grant of land, or rather of royal rights over some piece of land. The judicial rights over a few prosperous townships might be very valuable, while a grant of all the royal claims over a larger area of unoccupied forest[3] would yield but a poor income; perhaps the best

Temporary grants to thegns.

[1] Pearson, *Historical Maps*, 49.

[2] In thus devoting a portion of royal rights in land to public uses the English were perpetuating a custom which prevails in nomadic and half-settled communities. The power of a Kafir chief depends chiefly on the quantity of cattle he possesses, and with which he rewards his followers: and the young men of the tribe frequent his court and do *base* as the *comites* attached to a leader. Compare a *Compendium of Kafir Laws and Customs printed for the Government of British Kaffraria*, 1858. The reports which were sent by Government officials describe many institutions which are curiously similar to Teutonic and Celtic ones. The judicial system, pp. 58. 74, the royal revenue, p. 29, the wergilds, p. 61, the position of married women, p. 54, are all of interest in this respect.

[3] King Alfred writes as if the owner of a temporary grant supported himself from the products of the waste. The illustration from the difference between *laenland* and *bocland* is well worthy to stand in a preface even to such a book as S. Austin's *Soliloquies*; and to us it is very instructive. "It is no wonder though men 'swink' in timber working, and in the outleading and in the building; but every man wishes, after he has built a cottage on his lord's lease, by his help, that he may sometimes rest him therein, and hunt and fowl and fish, and use it in every way to the lease both on sea and on land, until the time that he earn bookland and everlasting heritage through his lord's mercy. So do the wealthy Giver, who wields both these temporary cottages and the everlasting homes, may He who shapes both and wields both, grant me that I be mete

return could be obtained where Welsh rural hamlets continued to exist through the storm of invasion and were allowed to go on tilling their lands but on more onerous terms. Such hamlets would be specially important to the invaders when they were found in districts where minerals could be procured, and when the inhabitants were skilled in mining and the working of ore. The smelting in the Forest of Dean is said to have been carried on continuously since Roman times[1]; and this is quite probable also in regard to the tin mines of Cornwall and the lead mines at the Peak. But the continued existence of these industries in special districts[2] in the hands of men who had special rights, does not at all diminish the force of the evidence, which goes to show that there was a sweeping change throughout the country generally.

A.D. 400—A.D. 577.

Survival of local industries.

So far then as we can peer through the darkness and come to any conclusion as to the nature of the English settlements, it appears that though portions of the land were cultivated by dependents, free warriors connected by ties of kinship obtained their holdings as convenience dictated, and were associated together in the common work of agriculture.

IV. Early Changes in England.

31. The three centuries that elapsed between the battle of Deorham and the reign of Alfred contain little that attracts the interest of the ordinary reader. It requires an effort to realise that the lapse of time, in a period which is dismissed in a few pages, was really as long as that from the Spanish Armada to the present day. These centuries were marked of course by the planting of the Church in England, and by the consequent changes in thought and life introduced; they are noticeable too for the beginning of Danish invasion, and the

A.D. 577—901.

Through this long period there was

for each, both here to be profitable and thither to come." *Blossom Gatherings* in *King Alfred's Works* (Jubilee Edition, Vol. II. Part II. page 84).

[1] Craik, *Pictorial History of England*, I. i. 268.

[2] On the survival of silver mining see below, Vol. II. p. 3. The special organisation of the miners and their position on royal forests all tend to confirm the view that they may be survivors of Welsh hamlets.

A.D. 577—A.D. 901. *a gradual coalescence of kingdoms.*

new forms of energy that were called forth in imitation of their enterprise. But throughout the chaos of local and apparently fruitless struggles, one change was steadily proceeding; the lesser states were being absorbed into the larger kingdoms, and the temporary superiority, which the Bretwalda exercised over neighbouring kings, was preparing the way for the recognition of the claim of Egbert to be king of all the English. This coalescence of the smaller kingdoms was the chief political event.

Growth of the power of the king

This process need not necessarily have made any great change in the methods of cultivation, or in the status of the inhabitants. When two peoples were joined, more land would be available to the victorious king for the support of an enlarged comitatus; and the cultivators on such land would be reinstated, but under conditions that ensured their loyalty. In one respect however such fusion was of great importance. The power of the kingly office increased with the enlargement of his responsibilities[1]; and with the increase of his power, his ability to make valuable grants, and the status of his personal attendants, rose as well; the earl, or even churl, in a village was not so very far removed from a king whose realm consisted of only a few hundreds; but when the king ruled over several shires the case was different;

and of his thegns.

and the thegns, who were military and judicial officers of these more powerful kings, came to have a much higher social status than they had at first; the churl or earl kept his old position, while that of the others had greatly improved. Thus we have the foundation of a new nobility, not of blood but of service and wealth.

The Roman mission,

32. The internecine warfare of the little kingdoms of the heptarchy was a fatal obstacle to advance in civilisation; and nothing contributed so strongly to the cessation of these struggles and the formation of a united English nation, as the influence of the monks who came from Rome under

A.D. 597,

the leadership of S. Augustine. The consolidation of the separate tribes and the first beginnings of really national councils are closely connected with the ecclesiastical usages which the missionaries introduced, so that their work was

[1] Kemble, *Saxons in England*, I. 147.

indirectly of great economic importance; but it is also true that comparatively little economic advance can be ascribed to their direct and immediate influence. In Gaul, the Roman civilisation had so utterly decayed that the soil had to be reclaimed again, by clearing the forest and jungle; in that province the greatest material benefits directly accrued from the establishment of religious houses and the unremitting labours of the monks[1]. In more distant regions, where the Roman empire had never extended, the monks began engineering works, such as those which marked the countries which had formerly been subject to Imperial rule[2]. But the special needs of the English, at the time of their conversion, and the circumstances of their land were not the same as those of the Franks, or of the Picts and Scots. They had settled down to till their lands, and though they still sent out bands against the Welsh or engaged in struggles with one another, they had entirely relinquished the old roving life on the sea. So soon as commerce developed, the old Roman routes of communication were ready prepared for the use of the chapmen who began to traverse them, and Roman bricks lay ready to hand for the repair of Roman bridges and the construction of new towns where the Roman cities had stood. The trees which they had planted[3] would also remain and yield their fruit to the English settlers; altogether there are few material changes which need be directly traced to monastic enterprise and diligence, though particular places, like the fens round Crowland, owe much to their zeal. Still it is true that in England the chief economic influence they exercised was due to the constitutional changes they accelerated, and especially to the way in which they promoted the power of the king, and of his personal dependents; while the communication with Rome,

A.D. 577—A.D. 901. *had comparatively little direct economic influence,*

but accelerated constitutional changes

[1] Montalembert, *The Monks of the West*, II. 314.

[2] The civilising influence of the Columban Church among the northern tribes can hardly be exaggerated; each monastery which was planted became a living witness, to a wild age, of the excellence of a godly life of industry rather than of one of contemplative piety, artistic work and education. Many roads in Scotland were due directly or indirectly to the existence of monasteries. Skene, *Celtic Scotland*, II. 351. Innes, *Scotland in Middle Ages*, p. 146.

[3] See above, p. 55.

A.D. 577—A.D. 901.

which was probably opened up for religious purposes, was used for commercial intercourse as well.

The fact that S. Augustine and the other leaders of the Roman mission came especially to the kings, and that Christianity was from the first a court religion, gave these teachers the position of royal dependents, closely analogous to that of the thegns[1]. As the one did service by fighting for the king, so did the others intercede for him by their prayers, but while the military service could only profit the king during this life, the prayers of God's servants might avail him in the place of death[2]. It thus became desirable to secure the perpetual rendering of such service; and kings began to make provision for communities of monks, by granting them a piece of land, or rather rights and superiorities over land already occupied, so that they might 'serve God for ever[3].' This land was secured to them by means of a charter (*boc*), and thus royal rights which had hitherto been only temporarily assigned were granted away to the owner of *bocland*[4].

Christian Priests as Thegns:

grants in perpetuity.

Bocland, how granted;

These grants in the ninth and tenth centuries generally purported to be made by consent of the Witan, and this may have done something to prevent the national resources from passing into private hands. It probably was not a serious obstacle, however, and as the kingdoms increased in size there

[1] Lingard, *Anglo-Saxon Church*, I. 171.

[2] Montalembert, *The Monks of the West*, I. 45.

[3] It is not a little curious to notice that this, the chief economic effect of monasteries in England, did not occur from the planting of monasteries in Scotland. The Columban monasteries were endowed with land which was not alienated from the family which granted it, and the abbot was always selected from among the blood relations of the founder; the one who was highest in the monastic community was to succeed. It frequently happened however that a lay brother succeeded, or even a member of the clan, who had made no monastic profession at all; and thus the lands of the monasteries became secularised. The fundamental difference, which underlay all the questions between the upholders of the Scottish and Catholic usages at Whitby, was due to the fact that the one Church was organised on this tribal model, and the other on the territorial system which had come into vogue in the rest of Christendom. The subsequent history of the tribal Church in Scotland and Ireland proves the superiority of the latter system. Skene, *Celtic Scotland*, II. 68, 270, 365. Todd's *S. Patrick*, p. 158.

[4] The owner of *bocland* apparently exercised powers of jurisdiction subject to the fulfilment of certain specified duties; the important thing for the grantee was that the charter should grant the amplest privileges and that the obligations it imposed should be of the slightest—nothing more perhaps than the *trinoda necessitas*.

was less possibility of a grand assembly of all freemen at the *witenagemot*; these were sometimes, in consequence, little more than a gathering of a few royal thegns, who did not put a very effective check on the disposition of the king. A.D. 577—A.D. 901.

The character of the numerous monasteries thus founded, which were each independent and not responsible to the head of an order, depended very much on the character of the ruling abbot; in some cases no real discipline was enforced, and the pious purpose was only put forward as an excuse for securing land in perpetuity. These pretended monasteries were a source of grave scandal; but the advantages of a perpetual, as opposed to a merely temporary, possession were so great, that men were strongly tempted to endeavour to secure estates on these terms. Others succeeded in obtaining grants on the strength of an intention, which was never carried out, to found a monastery; and large portions of territory were disposed of, in what were little better than packed assemblies. *sometimes on false pretences.*

This process had already gone on to a great extent in the Northumbrian kingdom in the time of Bede, whose letters to archbishop Egbert[1] give us very important information on *Consequent national weakness.* A.D. 734.

[1] The letters are worth quoting at some length. Bede advocates the establishment of additional sees, and continues, "Ac si opus esse visum fuerit ut, tali monasterio, causa Episcopatus suscipiendi, amplius aliquid locorum ac possessionum augeri debeat, sunt loca innumera, ut novimus omnes, in monasterium ascripta vocabulum, sed nihil prorsus monasticæ conversationis habentia.....Et quia hujusmodi maxima et plura sunt loca, quæ, ut vulgo dici solet, neque Deo neque hominibus utilia sunt, quia videlicet neque regularis secundum Deum ibidem vita servatur, neque illa milites sive comites secularium potestatum qui gentem nostram a barbaris defendant possident; si quis in eisdem ipsis locis pro necessitate temporum sedem Episcopatus constituat, non culpam prevaricationis incurrere, sed opus virtutis magis agere probabitur.....Ne nostris temporibus vel religione cessante, amor timorque interim deseratur inspectoris, vel rarescente copia militiæ secularis, absint qui fines nostros a barbarica incursione tueantur. Quod enim turpe est dicere, tot sub nomine monasteriorum loca hi, qui monachicæ vitæ prorsus sunt expertes in suam ditionem acceperunt, sicut ipsi melius nostis, ut omnino desit locus, ubi filii nobilium aut emeritorum militum processionem accipere possint: ideoque vacantes ac sine conjugio, exacto tempore pubertatis, nullo continentiæ proposito perdurent, atque hanc ob rem vel patriam suam pro qua militare debuerant trans mare abeuntes relinquant; vel majori scelere et impudentia, qui propositum castitatis non habent, luxuriæ ac fornicationi deserviant. .....At alii graviore adhuc flagitio, quum sint ipsi laici et nullius vitæ regularis vel usu exerciti, vel amore praediti, data regibus pecunia, emunt sibi sub pretextu monasteriorum construendorum territoria in quibus suæ liberius vacent libidini, et hæc insuper in jus sibi hereditarium edictis regalibus faciunt ascribi, ipsas quoque literas privilegiorum suorum, quasi veraciter Deo dignas, pontificum,

A.D. 577—A.D. 901. the subject. He points out that most serious consequences must follow to the national economy from allowing the royal rights to be thus alienated. The king could no longer support an effective body of retainers and the nation would be left defenceless; land given over to such men was of use neither to God nor man; to allow a few men to monopolise such possessions in perpetuity was to sap the national resources, so that the army could not be maintained, or the veterans rewarded. There is an interesting confirmation of Bede's warning in the entire collapse of the Northumbrian kingdom so soon after his time; while Wessex, which ultimately absorbed the whole heptarchy, was so situated that it was possible to keep up a more military life by grants of the lands from which the Welsh were gradually driven back[1].

A.D. 737.

Self-sufficing villages.

33. We may then think of England as occupied by a large number of separate groups, some of which were villages of free warriors, some estates granted on more or less favourable terms; as in all probability there was comparatively little communication between them, they would all be forced to try to raise their own food and provide their clothing. The mode of tillage and habits of work would be similar, whatever the precise status of the villagers might be; but the information which has come to hand is very meagre, and most of the direct evidence consists of some few phrases in laws, and scattered hints in the legends of monastic saints. We may however fill out the details by reference to Welsh and Irish Laws, which illustrate the habits of primitive tillage, that is to say of tillage which is carried on by separate communities, each of which is controlled by a single head[2], is chiefly self-sufficing and hardly depends on others for any regular supply.

abbatum, et potestatum sæculi obtinent subscriptione confirmari. Sicque usurpatis sibi agellulis sive vicis, liberi exinde a divino simul et humano servitio, suis tantum inibi desideriis laici monachis imperantes deserviunt.....Sic per annos circiter triginta...provincia nostra vesano illo errore dementata est, ut nullus pene exinde præfectorum extiterit qui non hujusmodi sibi monasterium in diebus suæ præfecturæ comparaverit.....Et quidem tales repente, ut nosti, tonsuram pro suo libitu accipiunt, suo examine de laicis non monachi, sed abbates efficiuntur." §§ 5, 6, 7. Haddan and Stubbs, III. 319.

[1] Lappenberg, *Saxon Kings*, I. 251. Evidence of the survival of the *princeps* and *comites* in Wessex occurs in the *English Chronicle*, 755.

[2] Hermann, *Staatswirthschaftliche Untersuchungen*, 10—15.

The most definite information, however, may be found in the regulations made by Charles the Great for the management of his estates. They serve to show what was the ideal which a prudent man kept before him—an ideal which would serve, with some slight variations, for Englishmen as well as for Franks[1]. The actual inventory of the buildings and stock of seed on several estates is of great interest; and Charles was careful to provide that there should also be skilled artisans on the premises, and that each establishment should be well stocked with all that was necessary for successful culture.

A.D. 577—A.D. 901. *Their husbandry.* A.D. 812.

If we turn to our own country, we find that the legends of English and Scottish saints contain many touches which help us to picture the condition of the uncleared land in which many monks reared their homes. The work which the conquering settlers had to do must have been similar, and their daily tasks must have closely resembled those of which we read in stories of life in the Scottish and British monasteries, which were the model villages of the time[2]. In the island settlements, where they were partly protected from the ravages of their neighbours, these monks set themselves to lead a life of godly industry, and to commend their religion as much by the life they led as by the preachers they sent forth. We read in Bede's *History* how the monks of Bangor[3] all lived by the labour of their hands, and of disputes that arose about the sharing in labour[4]. The legends of many saints throw instructive light on these matters, but it is in the *Life of S. Columba* by his successor Adamnan[5] that we get the completest picture of such a monastery, and of the various arrangements it contained,—its granaries and mill,

Columban Monasteries.

A.D. 607.

[1] Cunningham, *Western Civilisation*, II. 51.

[2] Thus Bede writes in his *Lives of the Abbots of Wearmouth* (Stevenson's Translation, p. 609), "It was a pleasure to him, obediently to be employed along with them in winnowing and grinding, in milking the ewes and cows, in working in the bakehouse, the garden and the kitchen, and in every other occupation in the monastery.....Frequently, when he went out anywhere for the furtherance of the business of the monastery, whenever he found the brethren at work, it was his custom to join them forthwith in their labour, either by directing the plough handle, or working iron with the forge hammer, or using the winnowing fan in his hand, or doing something or other of the same sort."

[3] *H. E.* II. c. ii.

[4] *H. E.* IV. c. iv.

[5] Reeve's Edition, notes, pp. 334—369.

A.D. 577—A.D. 901. its oven and all the other offices. Even in monastic communities, which were endowed with estates well stocked with meat and men and therefore did not depend for subsistence on the labour of the brethren, many trades were carried on. We hear of Bede's own labours; of another who was an A.D. 679. excellent carpenter, though but an indifferent monk[1]; of nuns at Coldingham who busied themselves with weaving[2]. We are justified in regarding each of these monasteries, and to some extent each of the villages, as a self-sufficing community where all the necessaries of life were provided in due proportion by the inhabitants, without going beyond the limits of the village itself[3].

Trade hardly existed

In early days there was in all probability so little regular trade that no village could rely on procuring necessary stores except from its own resources; the fact that they tried to do so serves to distinguish them from the most backward hamlet in the present day; the food came from their fields, and their herds; the flocks supplied the necessary clothing; from the waste land they got fuel, and there the swine lived on the acorns and mast[4]; honey held the place of sugar as a luxury. Salt was however a requisite which could not be produced in many of the inland villages by the efforts of the inhabitants themselves, and in those places where it was possible to obtain it the manufacture was a very profitable industry. This was one article the desire of which would tend to bring about the existence of trade from the very first. Even the Arab[5], who with his flocks and date palms is largely provided for, still depends on the caravans for salt; and many of the English

except for one or two requisites such as salt.

[1] *H. E.* v. c. xiv. [2] *H. E.* iv. c. xxv.

[3] This is more true of the Columban and Cistercian houses than of others. As Professor Middleton has pointed out to me, there is an interesting difference between the results of founding at any special place a Benedictine or a Cistercian Abbey. Benedictine monks were not as a rule handicraftsmen, and so even if a Benedictine monastery were set in the country, a town grew up round it with craftsmen to supply its wants. With the Cistercians this was not so, their monasteries were completely *self-sufficing*; every possible craft that could be was carried on by the monks or by the *conversi*, and so the Cistercian houses often remained in the solitude in which they were founded.

[4] The plentiful supplies which a waste might furnish can be gathered from the panegyric on Ely at the time of Hereward's defence, *Liber Eliensis*, II. c. cv.

[5] Herzfeld, *Handelsgeschichte der Juden*, 13.

villages must have traded for it too. Till root crops were introduced, it was difficult, from lack of fodder, to keep a large herd of cattle all through the winter; and accordingly the meat for winter use was ordinarily prepared and salted down in the autumn. Unless the first English settlers were stricter vegetarians than is commonly supposed, or else were well acquainted with the management of meadow land, they must have practised this system of salting down meat in autumn, and salt must have been a specially necessary article for their use. A.D. 577—A.D. 901.

34. There was not, in all probability, any remarkable change in tillage or industry during this long period. As has been said above extensive culture prevailed among some of the settlers in England, for otherwise it would be hard to account for the modified survival at Lauder[1]; but it doubtless gradually yielded to the more convenient methods of intensive culture. For this purpose special fields, consisting of intermingled strips[2], were set apart; these were kept under crop with regular fallowing and they were marked off by large balks as permanent arable fields. There was besides a definite area of meadow land; but during winter all demarcations were removed so that the cattle might wander freely over the stubble and on the strips from which the hay had been cleared, as well as over other portions of the waste. It was an open field system of which traces still survive in many parts of England[3]. *Methods of intensive tillage.*

But though the fields were thus permanently set apart for arable purposes, it was not easy to go on taking crops from the same land year after year (the *one field system*) *One field,*

[1] Maine, *Vill. Com.* p. 95.

[2] Vinogradoff, *Villainage in England*, 254, 317.

[3] Numerous survivals of this state of things can still be noted: the great turf balks which divided the fields from one another are still observable from the railway between Hitchin and Cambridge; within the last century the whole country between Royston and Newmarket is said to have been unenclosed; while a few isolated parishes, of which Laxton in Nottinghamshire is an example, are, or lately were, in this condition. In many parts of the continent there is not only evidence that common tillage has existed, but it actually holds its own.

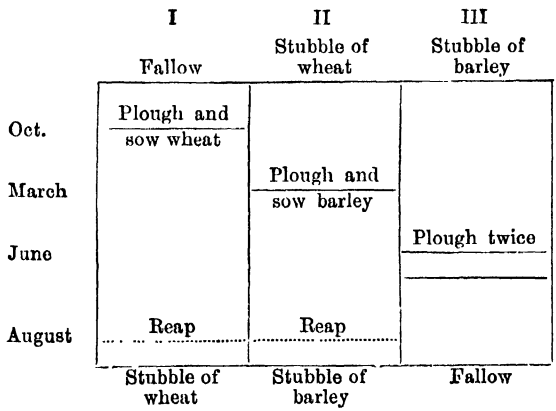
So far as England is concerned the best illustrations will be found in Mr J. G. L. Mowat's *Sixteen Old Maps of Properties in Oxfordshire*. There are excellent descriptions by Mr Seebohm (*English Village Community*, 1), Prof. Andrew (*Old English Manor*, 117), Prof. Maitland (*Township and Borough*, 54) and Prof. Vinogradoff (*Villainage in England*, 231).

A.D. 577—A.D. 901.

without seriously exhausting the soil[1]: and recourse was had to regular fallowing; according to the *two field* system, one of two arable fields was cropped each year, and one lay fallow; according to the *three field* system, two out of three arable fields were under crop each year and one lay fallow.

three field,

This three field system was eventually more common than the other, as it gave better returns for the same work. Early in the autumn of each year the husbandmen would plough the field which had been lying fallow during the summer and sow it with wheat, rye or other winter corn; in the spring, they would plough up the stubble of the field on which their last wheat crop had been grown, and sow barley or oats instead; the third field would still have the stubble of the previous barley crop till early in June, when it was ploughed over and left fallow till the time of autumn sowing.



In the following year, field I. would be treated as field II. in the diagram, field II. as III., and field III. as I., so that a rotation would be kept up.

and two field.

The two field system was similar and is illustrated by the diagram, if it be supposed that field II. is omitted and that there was a regular alternation of I. and III. The fields

[1] This persistent cultivation of the same land with the same crop is not unknown however. See Hanssen, *Agrarhist. Abhand.* I. 192. *Northern Rural Life*, 23. Oats was the crop which was grown for successive years in Scotland.

might have been alternately sown with wheat and fallowed; A.D. 577—A.D. 901. though it appears that it was not unusual in Germany to alternate the crops also, and have wheat, fallow, barley, fallow in succession in each field[1]. If half the field under cultivation were used for wheat and half for barley, as was sometimes done, the necessary work of ploughing would be more conveniently distributed throughout the year than would otherwise be possible on the two field plan. A thirteenth century[2] writer has compared the relative advantages of the two systems in detail, and shows that although a much larger area was under crop each year when the three field system was used, the expense of ploughing was really the same. In this way it seems that the three field system was an improvement on a two field husbandry, but the two systems have been carried on side by side in some districts, and the three field system never altogether superseded the other[3]. Throughout England generally—in some districts during the sixteenth and seventeenth and in others during the eighteenth century—both systems gave way to modern methods of *convertible* husbandry in which periods of grass growing alternate with arable culture[4]; and when this change took place the two field system—as the less elaborate—lent itself more readily to the alteration, especially to the introduction of four-course husbandry[5].

Their respective advantages.

Though there is no positive evidence as to the precise mode of cultivation which was in vogue in early times, there is every probability that the three field system was not unknown. Hanssen quotes one instance of it in Germany in 771, and considers that it was the normal practice in the

Early use of the three field system in Germany and possibly in England.

[1] Hanssen, *Agrarhist. Abhand.* I. 178.

[2] *Walter of Henley*, 8 n. and Intro. xxviii. If the land was laid out in two fields of 80 acres each, there would be 40 acres to plough before the wheat was sown, 40 more before the barley was sown, and 80 to be ploughed twice over in June, when the stubble of the second field was broken up and it was left fallow, i.e. $40+40+(80\times2)=240$. If the three field system were used, there would be 60 acres to plough before the wheat sowing, 60 acres to plough before the barley sowing, and 60 acres to plough twice over when the stubble was broken up in June, i.e. $60+60+(60\times2)=240$. There is reason to believe that Walter of Henley's estimate of what the plough could do in the year was exaggerated. (Maitland, *Domesday Book and Beyond*, 398. Page, *End of Villainage in England*, 22.)

[3] Hanssen, *Agrarhist. Abhand.* I. 179.

[4] See below, p. 528.

[5] Hanssen, *Agrarhist. Abhand.* I. 178.

A.D. 577—A.D. 901. time and on the estates of Charles the Great[1]; this is confirmed by an ingenious argument of Professor Jenks, who shows that changes in the form of legal proceedings against debtors imply that some sort of intensive culture had come into vogue generally[2]. That it quickly spread to England is probable enough; but we have very little definite evidence. The laws of Ine in regard to the amount of land to be kept under cultivation are not obviously relevant and are certainly not conclusive[3], though there is one of them which renders it clear that some sort of open field cultivation was in vogue. If agriculture is carried on in such open fields there must be difficulty in maintaining the temporary fencing which is needed to keep the cattle off the growing corn or growing hay. King Ine's law provides as follows,—

A.D. *circ.* 700. "If churls have a common meadow or other partible land[4] to fence, and some have fenced their part, some have not, and (cattle stray in and) eat up their common corn or grass; let those go who own the gap and compensate to the others who have fenced their part, the damage which there may be done, and let them demand such justice on the cattle as it may be right. But if there be a beast which breaks hedges and goes in everywhere, and he who owns it will not or cannot restrain it; let him who finds it in his field take it and slay it, and let the owner take its skin and flesh, and forfeit the rest[5]." This law gives us a very vivid picture of the early tillage,—the fields undivided except by temporary fences, and each churl's land lying intermingled with the rest. A holding of thirty acres would consist of sixty separate strips, of which, under the three field system, forty would be in cultivation each year. The strips were all intermingled in

Partible land.

[1] *Agrarhist. Abhand.* I. 152, 154.

[2] "It seems then abundantly clear that several ownership, and therewith intensive culture, were familiar to Teutonic Europe before the close of the eighth century. It would have been idle to provide execution-process against the immovables of a debtor, unless the ownership of immovables had been generally recognised." *Eng. Hist. Rev.* VIII. 422.

[3] cc. 64, 65, 66 in Thorpe, *Ancient Laws and Institutions*, I. 144. The *Gebur* (*Rect. Sing. Pers.*) was to have seven acres of his 'yard' sown when he entered on possession, but was this a half or a third or a quarter of the whole? Thorpe, I. 435.

[4] Obviously strips in the common arable fields.

[5] *Laws of Ine*, 42. Thorpe, I. 129.

each of the great fields and only marked off from one another by narrow grass edging. A.D. 577—A.D. 901.

Each landholder also possessed the necessary stock for working his land—a pair of oxen went with the ordinary villain's holding in the time of the Confessor. In all probability the tenants combined their stock and formed a strong team, like the manorial teams of eight[1] or twelve[2], though we find mention of plough teams of very various degrees of strength[3] and we cannot suppose of some of them that they did very effective work. *Stock on the holdings.*

The possession of draught oxen would have been useless unless the churl had the means of feeding them; for hay, he had an allotment of meadow, and for pasturage he had facilities for feeding on the common waste including the fallow field, and on the other fields between harvest and seed time[4]. There can be little doubt as to the manner in which agricultural processes were carried on, and the general type was probably almost the same whether the cultivators were servile or free. *Pasturage.*

Each separate group was thus in a position to raise its own food supply; but it could also, in all probability, furnish its own industrial requirements from its own resources to a far greater extent than any agricultural village would do in the present day; each was almost entirely *self-sufficing*. It was in these early times an economic unit, with no buying and selling between its members,—like a household where each member gets a living and has to do what work there is, instead of undertaking so much definite work for so much pay. A lady's maid is engaged to do the dress-making for certain persons, and may have much or little to do; but she gets her living and a quarterly salary, and is not paid by the piece. When the village community is really a self-sufficing whole, the thatcher or smith[5] is a member of the body, and *Industry in a self-sufficing village,*

[1] This appears to have been the typical team. See below, p. 126.

[2] *Northern Rural Life*, p. 33.

[3] O. C. Pell in *Domesday Studies*, 187. Vinogradoff, *Villainage in England*, 252.

[4] Scrutton, *Commons and Common Fields*, 4. See p. 526 below.

[5] *Gwentian Code*, I. xxxviii. *Leges Wallice*, I. xxi. *Ancient Laws of Wales*, 332, 817.

A.D. 577—A.D. 901. *how remunerated.*

pursues his craft without payment either by the hour or piece, because his livelihood is secured to him in the form of so many bushels from each householder, by the custom of the village; he does what work is required in return for his keep. There are of course many advantages in the modern system by which a man is paid for what he does; on the other hand the poorer rayats in India might be able to contribute to the support of a village artisan, while they could not save so as to pay for work at the precise time they wanted it: there may be cases in which the balance of advantage still lies in the primitive method.

In English villages in the eleventh century the swineherd was commonly supported in this way; each *gebur* was bound to contribute six loaves towards his maintenance[1]. The bee-keeper superintended what was an important industry in the period before the Conquest[2], and there was careful supervision of pasture rights[3]. All these regulations serve to illustrate the habits of life in any village which was a single economic unit[4], since buying and selling did not go on between the members, but each stood in a known customary relation to the rest. They had little if any external trade, and were practically self-sufficient and able to provide for all their ordinary wants from their own resources.

35. There is no evidence that the early English villages valued their condition of self-sufficiency so highly as to try to check the development of trade, as has been done by German and Indian communities[5]. On the contrary we get the im-

Beginning of internal trade.

[1] Thorpe, *Ancient Laws*, I. 435.

[2] Andrews, *Old English Manor*, 206. [3] *Ib.* 213.

[4] In the Welsh Laws we get minute regulations for co-tillage,—the contributions which were to be made for the common work, and the responsibilities and reward of the ploughman. *Vendotian Code*, III. xxiv. *Leges Wallice*, II. xxx. *Ancient Laws of Wales*, 153, 801. The *Brehon Laws* give us a still more complicated case of collective labour and rights in connection with the use of a water-mill. *Ancient Laws of Ireland*, IV. 217.

[5] Von Maurer, *Markverfassung*, p. 179. We find traces of a complete protective system on the part of these *self-sufficing communities*, closely analogous to the protective system adopted later with the view of keeping England a *self-sufficing* country. The sale of rare products to other villages was strictly forbidden by their customs, and that of many chattels was only allowed after the villagers had had the refusal of them. Such protection may also be resorted to, not in the interest of native resources, but of native artisans. (Compare below, pp. 308, 429.)

pression that pains were taken to foster intercommunication; provision was certainly made for the proper conduct of trade; the laws of Ine lay down that chapmen were to traffic before witnesses, so that they might be able to prove their innocence when accused of theft[1]. One of Alfred's laws insists that chapmen were to present the men they intended to take with them before the king at the folk-moot, to explain how many there were, and to declare it when they had need of more[2]. In another case we read of the dealer who came across the march from another estate, and of the responsibility of those who gave him temporary shelter[3]. On the whole, protection was needed, for the presumption was against the honesty of the stranger. "If a far coming man or a stranger journey through a wood out of the highway, and neither shout nor blow his horn, he is to be held for a thief and either slain or redeemed[4]." Besides attending to the personal security of chapmen the kings always insisted on the duty of maintaining the roads and bridges[5] without which they would have been unable to exercise any authority throughout their dominions; the four great roads soon received English names, and tracks connected them with many of the villages. The monasteries too were centres from which there was frequent communication, either to cells on outlying estates or to other churches in England and abroad, and the village life would become more comfortable as it ceased to be so entirely isolated.

A.D. 577—A.D. 901.

circ. A.D. 700.

circ. A.D. 890.

circ. A.D. 690.

circ. A.D. 700.

Reference has been made already to primitive trade in salt, but apart from this there were other ways in which the natural differences between localities must have made themselves felt; metals could not be everywhere obtained—for the point of the wooden ploughshare, and for arms if for nothing else; some wastes must have been more favourable for sheep and others for swine: some land for corn and some for meadow; all such natural differences would render internal trade immensely advantageous[6]. These physical circumstances

Differences of local resources.

[1] *Laws of Ine*, 25. Thorpe, I. 118.
[2] *Laws of Alfred*, 34. Thorpe, I. 82.
[3] *Laws of Hlothere and Edric*, 15, 16. Thorpe, I. 32.
[4] *Laws of Ine*, 20. Thorpe, I. 115.
[5] *Rectitudines Sing. Person.* I. Thorpe, I. 432. Earle, *Land Charters*, xxi.
[6] Compare Aristotle's account of early bartering as distinguished from trading

A.D. 577—A.D. 901. *The possibility of Trade.*

would make trade profitable, as soon as the social conditions which render trade possible became general. In any land where each village is hostile to every other—defended from the predatory incursions of neighbours, not by any respect for the property of others, but by the wide extent of its own waste—regular trade would seem to be impossible; but even under such circumstances, the advantages of trade may be so clearly felt that the boundary place between two or more townships comes to be recognised as a neutral territory where men may occasionally meet for their mutual benefit, if not on friendly terms, at least without hostility. Some writers regard the boundary stone as the predecessor of the market-cross, and the neutral area round it as an original market-place[1]; but there is more probability in the theory which treats the English town cross as the permanent emblem of royal authority[2]. But however this may be a good deal of regular internal trade may go on, even in a country which is disturbed by constant feuds, and where every hamlet is liable to be plundered by the men from other villages. There is no reason for refusing to believe that there was a certain amount of internal trade from the earliest days of the English settlement. We may perhaps add that the market and its customs may have been instituted among the tribes before their immigration, and imported rather than developed here.

Markets.

On the whole it seems that from very early times there must have been regular trade; not indeed carried on from day to day, but still, in regular places at particular times; not merely like the occasional visit of a ship to a savage island, but occurring at more or less frequent intervals which could be anticipated, and for which preparation might be made. And this introduces a most important step in advance; when

for the sake of profit: ἡ μὲν οὖν τοιαύτη μεταβλητικὴ οὔτε παρὰ φύσιν οὔτε χρηματιστικῆς ἐστὶν εἶδος οὐδέν· εἰς ἀναπλήρωσιν γὰρ τῆς κατὰ φύσιν αὐταρκείας ἦν. *Politics*, I. c. 9, § 6.

[1] Maine, *Village Comm.*, 192. Compare also Sir John Lubbock's *Origin of Civilisation*, p. 205, on the various functions which boundary stones have served.

[2] Compare R. Schroeder, *Deutsche Rechtsgeschichte*, 590, and references there; also Sohm, *Entstehung des Städtewesens*, 18. The cross is frequently associated with the sword and the glove, which are recognised symbols of royal authority; and the name by which they are often known in Germany, Rolandsäule, seems to connect them by tradition with Roland the sword-bearer of Charles the Great.

men engage in labour, not for the sake of satisfying their own wants by the things they produce, but with a view to exchange, their labour results not only in chattels for their own use, but in wares for the market as well. There is a farther change to be noted; while there is no opportunity for exchange, there is little inducement for anyone to preserve a surplus; a very abundant harvest is more likely to be prodigally used within the year, and so with all other supplies; but the existence of opportunities for trade makes it well worth while to gather a store that far exceeds any prospective requirements, and to stow in warehouses for sale[1] all that need not be used by the producers to satisfy their immediate wants; the conditions are present which still further favour the accumulation of wealth.

A.D. 577—A.D. 901.

Warehouses with a view to future trade.

36. The disorders of the three centuries which succeeded the battle of Deorham seem to have tended to the demoralisation of the victors; there is little evidence that the Christian English of the ninth century had advanced on their heathen forefathers in any of the arts of life, except in so far as they were subject to foreign influences. Some new forms of skill had been introduced by Christian missionaries; writing and illuminating on parchment with the brilliant colours which attracted Alfred as a child[2] were arts that occupied the monks in the *scriptorium*, and some found employment in lock-making and other forms of working in metals. Glass beads had probably been used for ornament long before, but the use of window glass seems to have been due to Benedict Biscop in the seventh century[3]. "When the work was drawing to completion, he sent messengers to Gaul to bring over glass makers—a kind of workman hitherto unknown in Britain,—to glaze the windows of the church and its aisles and chancels. And so it happened that when they came they not only accomplished that particular work which was required of them, but from this time they caused the English nation to understand and learn this kind of handicraft, which was of no inconsiderable utility for the enclosing of the lamps of the church, or

Decay of industrial skill. A.D. 577.

Introduction of some new arts:

Glass. A.D. 675.

[1] Hermann, *Untersuchungen*, p. 25. [2] Asser's *Life of Alfred*, II. 450.

[3] Bede, *Lives of the Abbots of Wearmouth* (Stevenson's Translation), p. 607.

A.D. 577—A.D. 901. for various uses to which vessels are put[1]." Other arts for domestic comfort which had been used in Roman Britain were reintroduced or revived at a later date but under similar ecclesiastical influence. The Abbey of Christchurch at Canterbury had an admirable water supply, which was thoroughly Roman in all its arrangements and fittings[2], but it was not constructed till after the Norman Conquest.

Water supply.

Weaving. A.D. 715. The importation of vestments from abroad would give a considerable impulse to the feminine arts, as they then were, of weaving and embroidery. Aldhelm[3] describes most gorgeously woven brocades, though he does not speak of them as of native manufacture: but the art of embroidery soon took root[4], and the English rapidly attained a high degree of skill which was maintained all through the middle ages.

Decline in seamanship. This increased skill in ecclesiastical art is quite compatible with a decline in some of the arts of war in which they had formerly excelled. As an agricultural people, whose expeditions were chiefly directed against their neighbours and the Welsh, they had little occasion for a seafaring life; and they had probably lost much of their skill in seamanship. It seems not impossible that Christian influence discouraged the pursuit of war as a trade[5], and that the effective force of the people declined in this respect. At any rate they were compelled to cultivate arts they had apparently forgotten, when they were forced to resist the Danes; and to resist them by learning from them and trying to outstrip them. It was in this way that King Alfred set himself to revive the art of shipbuilding. "He commanded long ships to be built to oppose the esks; they were full nigh twice as long as the others; some had sixty oars and some had more; they were

Shipbuilding revived. A.D. 897.

[1] Glass had been manufactured in Britain in Roman times, but the art had died out; as it apparently did again, after being reintroduced in the seventh century. T. H. Turner, *Domestic Architecture*, I. 75.

[2] Willis, *Architectural History of Christchurch*, 160. Monks in Greenland had their cells warmed by pipes of hot water laid on from a natural hot spring close by. Major, *Zeni*, pp. lxxxvii, 17. Compare the Franciscans' Conduit at Southampton in 1290. Davies, *Southampton*, 114.

[3] *De Laudibus Virginitatis*. Migne, LXXXIX. 114.

[4] *Liber Eliensis*, II. c. lxiii.

[5] It is certainly curious to notice how soon the power of the Norsemen declined after their conversion was effected.

both swifter and steadier and also higher than the others. They were shapen neither like the Frisian, nor the Danish, but so as it seemed to him they would be most efficient[1].' How far Alfred's new design was really an improvement or not it may be hard to say, as the first engagement near the Isle of Wight seemed to show that the West Saxons were not fit to manage them. A.D. 577—A.D. 901.

The Danes could doubtless have given him much instruction in the arts of navigation; the *Sagas* show that they made voyages at this time and during the succeeding centuries, which would hardly have been undertaken by any of the ancients, and were not repeated till the sixteenth century. Some, like the polar exploration of Halldor, would be regarded as remarkable expeditions even now[2]. On these voyages they had neither compass, nor any of the appliances of modern navigation, but they had ingenious, though rather rough and ready, methods of making observations. Distance they calculated by a day's sail, which was estimated at about twenty-seven to thirty geographical miles[3]; they guessed at the direction of the nearest land by letting birds escape and watching the direction of their flight[4]. They observed on one voyage[5] that the sun was above the horizon both night and day; on S. James's Day it was not higher when at the meridian "than that when a man lay across a six oared boat towards the gunwale, the shade of that side of the boat which was nearest the sun, fell on his face, but at midnight was it as high as at home in the settlement when it is in the north west." Rafn[6] has interpreted this as showing they were in 75° 46″ north latitude, but it at any rate illustrates a primitive mode of nautical observation. *Danish enterprise*, A.D. 1266, *and observations.*

37. There were other respects in which King Alfred was certainly anxious to learn from his foes; the Northmen even in his time had undertaken distant explorations and opened up important trading routes. It appears that in the ninth century they had regular trade from the Baltic to Arabia *Voyages of discovery,*

[1] *English Chronicle*, 897 (Bohn's Edition).
[2] Beamish, *Discovery of America*, 126.
[3] Ibid. p. 53.
[4] Macpherson, *Annals*, I. 261.
[5] Beamish, 127.
[6] *Antiqu. Americanae*, Abstract of Evidence, p. xxxix.

A.D. 577—A.D. 901. and the East by means of the rivers which run into the Caspian and Black Sea[1]; while they had also settlements

A.D. 874. in Iceland from which they afterwards made their way to

A.D. 985. Greenland and even explored some part of North America[2]. Alfred put on record[3] the accounts he received of the

Ohthere. voyage of Ohthere, a whaler and owner of many reindeer, who dwelt in Helgeland in Norway and who had sailed, partly in hopes of procuring walrus tusks and partly as an explorer, till he rounded the North Cape and penetrated to the White Sea. He also voyaged along the coast of Norway and

Wulfstan. through the Sound[4], whilst Wulfstan, a Dane, recounted how he had sailed up the Baltic to an East Prussian port[5]: but the interest which Alfred took in these more southerly voyages shows how little Englishmen then knew of the seas which were perfectly familiar to the merchants of the Northern lands, from which according to Alfred a portion of their forefathers had emigrated.

English trade. In so far as the English had carried on foreign trade at all it was with southern lands. An English merchant was sojourning at Marseilles early in the eighth century[6]; they apparently frequented the fairs of Rouen, S. Denys, and Troyes or elsewhere in the dominions of Charles the Great;

A.D. 796. the letter to Offa of Mercia in which he assures them of justice and protection is our earliest commercial treaty[7]. The trading and proprietary rights which were conferred

[1] Worsaae, *Danes and Norwegians*, 103.

[2] See below, p. 90.

[3] Alfred, *Orosius* (Bosworth), § 13, p. 39.

[4] Alfred, *Orosius* (Bosworth), § 19, p. 47.

[5] Alfred, *Orosius*, § 20, p. 50.

[6] Lappenberg, *England under Saxon Kings*, II. 364.

[7] De peregrinis vero, qui pro amore Dei, et salute animarum suarum, beatorum limina Apostolorum adire desiderant, sicut olim perdonavimus, cum pace sine omni perturbatione vadant, suo itineri secum necessaria portantes. Sed probavimus quosdam fraudulenter negotiandi causa se intermiscere: lucra sectantes non religioni servientes. Si tales inter eos inveniantur locis opportunis statuta solvant telonea; cæteri absoluti vadant in pace. De negotiatoribus quoque scripsisti nobis, quos volumus ex mandato nostro ut protectionem et patrocinium habeant in regno nostro legitime, juxta antiquam consuetudinem negotiandi. Et si in aliquo loco injusta affligantur oppressione, reclament se ad nos, vel nostros judices, et plenam jubebimus justitiam fieri. Similiter et nostri, si aliquid sub vestra potestate injuste patiantur, reclament se ad vestræ æquitatis judicium, ne aliqua inter nostros alicubi oboriri possit perturbatio. Haddan and Stubbs, *Councils*, III. 496.

on ecclesiastical houses on the continent at this early time, A.D. 577—A.D. 901. also bear witness to the frequency of communication. Such were the privileges given or confirmed by Offa to the Abbey of S. Denys[1], or the grant of Lewisham to S. Peter's at Ghent[2]. But Englishmen habitually passed still further south[3], and a year in which the usual communication with Rome did not take place seemed to deserve special mention from the Chronicler[4]. Alfred had gone there as a boy, when A.D. 853. his father visited the Pope accompanied by a large train of attendants[5]. His emissaries at a later time undertook a still greater enterprise, when Sigeburt bishop of Sherbourne travelled to India itself with King Alfred's gifts to the shrine of S. Thomas, and brought back many brilliant gems on his return[6].

The slave trade

The particular trade of which we hear most during these centuries is traffic in slaves—not necessarily because it was the most important, but because it was obnoxious to Christian sentiment. We may well remember that it was the sight of English slaves in the market at Rome which first touched the A.D. 578. heart of Gregory as a deacon and made him desire to send the gospel message to our distant isle[7]. But we feel that the trade must have been generally prevalent in districts where *ancillæ* and *servi* were used as money, and pay-

[1] These included a grant of salt-works at Pevensey, and of the port of 'Lundenwic.' De Freville, *Rouen*, I. 56. Doublet, *S. Denys*, 187, 720. The Church of S. Mary of Rouen had a valuable estate in Devonshire in the time of the Confessor. *Domesday Book*, I. 104.

[2] By Alfrithe, daughter of Alfred. Varenbergh, *Relations diplomatiques*, 40.

[3] S. Bertin, when making a journey to Rome, in the end of the seventh century, travelled with a company of Saxons from S. Omer to Verdun, when they parted, as the Saxons were going to Spain. *Miracula S. Bertin* in *Acta Sanctorum*, 5 Sept. p. 597.

[4] *English Chronicle*, 889.

[5] Asser's *Life of Alfred* (*Church Historians*), II. 415.

[6] William of Malmesbury, *Gesta Pontificum*, II. 80. Some doubt has been cast on the truth of this story by the fact that it is not mentioned in the life of Alfred by Asser, who does not speak of direct communication with any more distant potentate than the patriarch of Jerusalem. See his *Annals* in *Church Historians of England*, II. p. 472. But Pauli points out that the journey was not more impracticable than that of Charles the Great's emissaries to Bagdad, and that the report of that exploit might have stimulated him to this undertaking. *Life of Alfred*, 146.

[7] There is some reason to believe that this iniquitous traffic with Italy was carried on in Christian times. Haddan and Stubbs, *Councils*, III. 381.

A.D. 577—A.D. 901. circ. A.D. 700.

ments were reckoned in terms of slaves[1]. From very early times penalties were imposed on those who sold their countrymen, bond or free, over the sea, "though he be guilty[2]": and it was reiterated that Christians[3] should not, at any rate, be sold into a heathen land[4], but despite the frequent fulminations by ecclesiastical and civil authority the trade appears to have continued. It existed in all its horror at Bristol[5] at the time of the Conquest[6]; and if we may trust Giraldus Cambrensis it had not been stamped out in the twelfth century[7]. The Irish bishops incited their flocks to boycott the English slave dealer in 1172. From the accounts of the early fairs in Germany it

[1] For the use of slaves compare Haddan and Stubbs, *Councils and Documents*, II. 127, where canons are quoted in which payments are reckoned in *ancillæ* and *servi*. See also *Ancient Laws of Ireland*, I. p. xlvi. *Cumhal* (originally a female slave) is constantly used as a measure of value. See below, p. 123.

[2] *Laws of Ine*, 11. Thorpe, I. 111.

[3] The redemption of slaves was a recognised form of Christian benevolence, S. R. Maitland, *Dark Ages*, p. 88. S. Eligius, while still a leading man at the court of Dagobert, spent large sums in redeeming slaves by twenty, thirty, fifty or even a hundred at a time, *Vita S. Eligii* (Migne, LXXXVII. 487). The monks of Jumièges in the seventh century fitted out vessels in which they sailed great distances to redeem captives and slaves. Montalembert, II. 501. See also *Vita Anscharii*, cc. 21, 66 (Migne, CXVIII. 975, 1007). Missionaries also adopted the plan of purchasing young heathen slaves, whom they trained as Christians, *Vita Anscharii*, c. 63 (Migne, CXVIII. 1005).

[4] *Laws of Ethelred*, V. 2, VI. 9, VIII. 5. Thorpe, I. 305, 317, 338. *Theodor. Pœnitent.* XLII. 4, 5. Thorpe, II. 50. *Excerpt. Egberti*, CI. Thorpe, II. 124. *Pœnitent. Egberti*, IV. 26. Thorpe, II. 213. On the trade as carried on in the fairs of Champagne, see Bourquelot, *Mémoires Acad. des Inscriptions*, II^me^ Série, V. i. 309; he explains that Jews were the agents who sold Christian slaves to the Mussulmans of Spain and Africa, in the eighth and ninth centuries; the trade at Montpellier in Saracen slaves and slave girls lasted till the fifteenth century. On the Eastern trade, see Heyd, II. 543.

[5] Vicus est maritimus, Brichstou dictus, a quo recto cursu in Hiberniam transmittitur, ideoque illius terræ barbariei accommodus. Hujus indigenæ cum cæteris ex Anglia causa mercimonii, sæpe in Hiberniam annavigant. Ab his Wlfstanus morem vetustissimum sustulit, qui sic animis eorum occalluerat, ut nec Dei amor nec Regis Willelmi hactenus eum abolere potuissent. Homines enim ex omni Anglia coemptos majoris spe quæstus in Hiberniam distrahebant; ancillasque prius ludibrio lecti habitas jamque prægnantes venum proponebant. Videres et gemeres concatenatos funibus miserorum ordines et utriusque sexus adolescentes: qui liberali forma, ætate integra barbaris miserationi essent, cotidie prostitui, cotidie venditari. Facinus execrandum, dedecus miserabile, nec belluini affectus memores homines, necessitudines suas ipsum postremo sanguinem suum servituti addicere. William of Malmesbury, *De Vita S. Wlstani*, II. 20, in Wharton, *Anglia Sacra*, II. 258. Compare also Andrews, *Old English Manor*, 183.

[6] See also the tolls at Lewes in *Domesday*.

[7] *Exp. Hib.* I. c. 18.

almost seems as if they could have been little else than slave marts[1], and it may well be that at the fairs which the northern merchants held on the shore[2], the captives they had kidnapped[3] formed the staple article of trade. A.D. 577—A.D. 901.

V. Danes.

38. The Danes were the first of the foreign shoots which were grafted into the English stock; many circumstances have combined to make us neglect the importance of the fresh life that we then received. We have been accustomed to view the Danes with the eyes of our own chroniclers—as mere plunderers[4], who destroyed churches, and amassed treasures at the expense of peaceful citizens; and indeed they were ruthless enough[5]. We admire the A.D. 787—A.D. 1066. *A vigorous element introduced*

[1] G. J. Thorkelin (*Essay on Slave Trade*) has collected many incidental notices of this trade in Germany and the North: "Helmold beheld at once in the market at Mecklenburgh no less than 7000 Danes exposed to sale," p. 9.

[2] Worsaae (*Danes and Norwegians*, 100) states that merchants from all parts assembled at the annual fair at Elsinore: "booths were erected along the shore; foreign wares were bartered for fish, hides and valuable furs; whilst various games and all sorts of merry-making took place." A similar fair was formerly held at Scarborough.

[3] The opening of the *Saga of King Olaf Tryggvesson*, c. 5, gives an interesting picture of the times. When a boy the vessel in which he and his mother were sailing under the care of some merchants was attacked by vikings, "who made booty both of the people and goods, killing some, and dividing others as slaves. Olaf was separated from his mother, and an Esthonian man called Klerkon got him as his share, along with Thoralf and Thorkils. Klerkon thought that Thoralf was too old for a slave, and that there was not much work to be got out of him, so he killed him; but took the boys with him, and sold them to a man called Klaerk, for a stout and good ram. A third man called Reas bought Olaf for a good cloak." Laing, *Chronicles*, I. 371.

[4] The cruelty with which Roger Hoveden and the author of the life of S. Ælphege charge the Danes is thus explained by Thorkelin: "The Danes had no market for slaves in England, and they could neither give a share of their provisions to their captives, nor detach a body of men from the army to keep in order such an immense number of slaves, who they knew would undertake anything that might restore them to liberty, and enable them to harass their enemy. Under such circumstances the barbarians had no other alternative than to put their captives to death—death was perhaps far preferable to a diseased life consumed in a horrid dungeon, which has often been the case." *Essay on Slave Trade*, p. 29.

[5] Keary, *Vikings*, p. 143, has some excellent remarks on the courage, cruelty and humour of the Northmen.

A.D. 787—A.D. 1066. heroism of Alfred the Great and his enthusiasm for the promotion of skill and enterprise, but we forget that the *among the enfeebled English.* English people were even then so enfeebled that half their country had been wrested from them; and though his immediate successors obtained a widely extended supremacy, the kingdom fell at length into the hands of a better man. A.D. 1042. When the line of Wessex re-appeared in the person of the Confessor, he could not trust to native administrators; Danes still filled important posts and Norman habits began to supersede the older usages. Despite the success of Egbert and the genius of Alfred, the English had not been fused A.D. 960. into a united, well-ordered polity; and the state of the Church in S. Dunstan's time gives an unfavourable impression of the whole tone of Society. The English had settled down, they had adopted Christianity, but they had not preserved the spirit of enterprise and the eager activity which still characterised their kin beyond the sea.

Norse trade with the East. In order to form any fair estimate of the importance of the element which was thus grafted into the English stock we must turn our attention to the condition of the Danes and Norsemen, and the proofs of their extraordinary vigour and enterprise, at the very time when so many of the race were settling in England. They had opened up a vast commerce with the East, by the Russian rivers and the Caspian or the Black Sea[1]; furs and amber were probably the chief articles of export and the precious metals were brought in return. Large numbers of Arabian coins have been dug up; "in Sweden, and particularly in the island of Gothland, such an immense quantity of these has been found at various times, that in Stockholm alone above twenty thousand pieces have been preserved, presenting more than a thousand different dies, and coined in about seventy towns in the eastern and northern districts of the dominions of the Caliphs.... It was the trade with the East that originally gave considerable importance to the city of Visby in Gothland; and it was subsequently the Russian trade that made Visby, in conjunction with Novgorod, important members of the German Hanseatic League. As long as the Arabian trade

[1] Montelius, *Sweden*, 190.

flourished Gothland was the centre of a very animated traffic. Even now an almost incredible number of German, Hungarian and particularly Anglo-Saxon coins, of the tenth and eleventh centuries, is dug up in the island. The collection of coins in Stockholm comprises an assortment of Anglo-Saxon coins, mostly the product of these discoveries, which for extent and completeness surpasses the greatest collections of the sort, even in London and England[1]." Political disturbances in the eleventh century gave a considerable shock to this trade however; the Italian depôts obtained a large share of the traffic after the Crusades, and the re-opening of a route somewhat similar to the old one, by the Russian Company, was one of the principal commercial events in the sixteenth century. A.D. 787—A.D. 1066. A.D. 1553.

Settlements and explorations in the North and West. Iceland.

In the north and west their achievements were still more remarkable and bear witness to the boldness of their seamanship[2]. In 874 the colonisation of Iceland began and proceeded with great rapidity, so that Harold Haarfager feared that Norway would be depopulated. They found parts of the island already occupied by some men such as those who in frail coracles, made of two hides and a half, and with only a few days' provisions, left their home in Ireland whence "they had stolen away because they desired for the love of God to be in a state of pilgrimage they recked not where[3]." The Irish monks, like their Welsh brethren, deserted the island when it was invaded by heathens[4], and the Danes had soon occupied the whole of it with their settlements.

[1] Worsaae, *Danes and Norwegians*, 103. This is no longer the case; the collection in the British Museum is second to none.

[2] This is brought out by Mr J. Toulmin Smith (*Discovery of America*, p. 322) in the course of an excellent discussion of the comparative merits of Columbus and the Northmen.

[3] *English Chronicle*, 891 (Bohn).

[4] Mr Keary (*Vikings*, 186) dates this Irish settlement in the year 795. "At that time was Iceland covered with woods between the mountains and the shore. Then were here Christian people whom the Northmen called Papas, but they went afterwards away because they would not be here among heathens, and left after them Irish books and bells and croziers from which could be seen that they were Irishmen. But then began people to travel much here out from Norway until King Harold forbade it because it appeared to him that the land had begun to be thinned of inhabitants." *Schedæ of Ari Frode.* Beamish, *Discovery of America*, 175.

A.D. 787—A.D. 1066. From Iceland they pushed still farther away; storm-driven mariners had brought back reports of a land in the west. Eric the Red, who had been banished from Norway for one murder and from some parts of Iceland for another crime, was forced to set out on a voyage of exploration; after two years he returned with the intention of getting companions *Greenland.* to form a settlement. He called the land which he had found "Greenland 'because' quoth he 'people will be attracted thither if the land has a good name'." The fleet of colonists suffered much from a storm, but enough escaped to found two settlements in 985[1].

A.D. 986. In the following year Bjarni, the son of one of the colonists, set sail with the view of joining his father in Greenland. After three days' sail he got into a fog, and was driven for many days by the north wind; at last they sighted land, but they did not go ashore as from its appearance they were sure it was not Greenland; they worked their way northwards in the open sea, but returning at times to the coast, and thus saw lands which have been identified as *America.* Connecticut, Long Island, Rhode Island, Massachusetts, Nova Scotia (Markland), and Newfoundland (Helluland). When at last Bjarni reached Greenland his lack of curiosity in not having gone ashore became a matter of reproach to him. Leif the son of Eric the Red was determined to carry on the work of discovery; he visited the lands Bjarni had sighted, and A.D. 994. wintered in Mount Hope Bay near Cape Cod[2]. They called the place Vynland, as a German sailor recognised grapes among the products of the country; none of the others had seen them before, but he was familiar with them on the Rhine. In 1007 an attempt was made from Iceland to establish a regular settlement in Vynland and occasional communication was kept up for some time. Curiously enough the Danes appear to have been anticipated in this discovery also by the Irish—not indeed by ecclesiastics; how or when the first Irish emigrants crossed the Atlantic is unknown[3],

[1] *Saga of Eric the Red.* Beamish, p. 49. [2] Beamish, p. 63.

[3] Mr Beamish suggests that it may have been in the fourth century when the Irish made such vigorous attacks on Roman Britain, p. 218. Mr J. Toulmin Smith holds that they visited the country but never settled there. *Discovery*, p. 233.

but a country somewhat south of Vynland was commonly referred to as Great Ireland, and there are a curious number of survivals which confirm the evidence of *Sagas* on this point. The Danish expeditions across the Atlantic seem to be well-established. We may certainly feel that it was a most important thing for the future of England, that a large area of our land was peopled with men who could plan and carry out such explorations as these. A.D. 787–A.D. 1066.

39. Of the Danes as mere plunderers it is unnecessary to say more[2]; the changes which were made by the Danes as conquerors are of constitutional rather than economic interest, but the influence which was exercised by the Danes as settlers demands attention. It is certainly noticeable that the Danelagh, as defined in the time of Alfred, including as it did East Anglia and Lincolnshire, has contributed so much to English industrial success; while a closer study would show that the ports on other coasts, where commerce has been ardently pursued, have had a large infusion of Danish or Northern blood[3]. The numbers who came to this country were so great that they really formed an important element in the population. Rollo and the Northmen who took possession of Neustria were plunderers transformed into conquerors, who lorded it over the existing inhabitants; but in England, part of Lincolnshire[4] became completely Danish, and the north-eastern side of Watling Street was so largely populated by Danes that their customs superseded those of the English. *Danish influence.* A.D. 879. *Its extent.* A.D. 911.

There were not of course the same difficulties in the way of amalgamation between the Danes and the conquered *Amalgamation.*

[1] The allegation that runic inscriptions and Norse remains were found on the New England coast appears to have been mistaken, but the existence of a settlement in Greenland is fully confirmed. The later history of these settlements is somewhat obscure: in 1121 Bishop Eric of Greenland visited Vynland (Beamish, 149): in 1347 a ship is mentioned as coming from Markland (Nova Scotia). We read of intercourse as late as the end of the fourteenth century in the work of a Venetian named Zeno; the genuineness of this has been much disputed, but it seems to have been established by Major, *Voyages of the Zeni* (Hakluyt Society). The Greenland colony received little assistance from Europe in the latter part of the fourteenth century, and seems to have been almost destroyed by the Esquimaux about 1418. Major, *Zeni*, p. lxvi.

[2] See above, p. 51.

[3] Compare the map in Dr Taylor's *Words and Places*.

[4] On the settlement and distribution of the Danes in England compare Keary, *Vikings*, p. 352.

A.D. 787—A.D. 1066. Angles, as had been felt when the English overcame the Romanised Welsh, since both came of the same stock; but there may have been some displacement of population, especially in Lincolnshire. In the Danish raids many English lives must have been sacrificed, and such of the younger generation as were spared and were deemed superfluous would find their way to slave marts across the sea; but after all, England was probably not so thickly populated that the Danish settlers need have had much difficulty in finding room for themselves.

Character of their settlements Their rural settlements were probably very similar to those which the English had made; many of them are easily distinguished by the forms of the name, and especially by the familiar termination in *-by*. There seems to be a considerable proportion of villages which take their names from persons[1], rather than from septs, and perhaps this might throw some light on the character of the invading bands in the English and Danish conquests respectively. The villages in the Danish parts of England are comparatively large; as was the case in Denmark also, where there were few isolated homes, or small hamlets. One other characteristic feature is observable in the great *Survey*; in the Danish counties, such as Lincolnshire, and in East Anglia, a very large proportion of freemen still survived[2]. In the English counties they were no longer found in any considerable numbers; but we are not therefore forced to conclude that they had never existed, especially when we remember that they had been exposed to centuries of warfare with one another and with pirates, while the Danish settlers had not suffered in the same way.

in large villages

of freemen.

The Danes and the beginning of towns. 40. More important, however, than the planting of new villages is the fact that it is from the time of the Danes that we may trace the beginnings of our towns. The towns were indeed little better than more thickly populated villages, and most of the people lived by agriculture; but still the more populous places may be regarded as towns, since they were centres of regular trade. The Danes and Northmen

[1] Streatfield, *Lincolnshire and the Danes*, c. v.

[2] Compare the maps in Mr Seebohm's *Village Community*, p. 86.

were the leading merchants, and hence it was under Danish and Norse influences that villages were planted at centres suitable for commerce, or that well-placed villages received a new development. A.D. 787—A.D. 1066.

In some cases the proof of this is easy; the evidence is partly constitutional. The Danish burghs of Lincoln and Stamford, with the Lawmen of whom we read in *Domesday Book*[1], seem to have had the most completely organised municipal government which is mentioned in that record[2]. The Danes have left their mark in other towns as well, notably in London itself, where the 'husting' shows the part they took in its government; there were 'lawmen' in Cambridge too. There is also some ecclesiastical evidence; for the dedications to S. Olaf and S. Magnus in York or Exeter or Southwark point to a Danish origin just as clearly as the name 'S. Clement Danes[3]' suggests that this church was originally built for a Danish community. There seems also to be a sign of Danish influence in the improved legal status which was ascribed to merchants in the tenth century; among the Danes trading was a profession worthy of a prince, and the merchant and his crews were honourably welcomed[4]. There is a reflection of this feeling in the doom which declares 'that if a merchant thrived so that he fared thrice over the wide sea by his own means, then was he thenceforth of thane-right worthy[5].' *The five burghs.*

Hitherto English foreign trade had been chiefly with southern lands, and the Danes were instrumental in enabling them to open up commerce with the trading settlements of the Northmen; Chester and Bristol came into communication with Dublin[6] and with Iceland; and this intercourse *New lines of English commerce.*

[1] *Domesday*, I. 336, v. 336 *b*.

[2] Maitland, *Domesday Book and Beyond*, 211.

[3] S. Clement, with his anchor, was obviously a suitable patron for seafaring men.

[4] *Saga of Thorfinn Karlsefne*. Beamish, p. 85.

[5] *Ranks*, 6. Thorpe, I. 193.

[6] The influence of the Northmen in Ireland gives an instructive parallel to their doings in England; despite the communication with the continent, of which we have evidence (Montalembert, *Monks of the West*, II. 391), there can have been little trade in Ireland during the halcyon days of Scottish civilisation there. Despite the power and enthusiasm of Scottish Christianity, it never succeeded in introducing stable conditions for the development of secular industry and commerce; it even gave new excuses for tribal warfare, as when in 562 A.D. half Ireland engaged in battle about the possession of a psalter (Ibid. III. 125).

A.D. 787—A.D. 1066. must have been considerable as in that northern island a law was passed with regard to the property of English traders who died there[1].

Internal trade. 41. During the period between the death of Alfred and the Norman Conquest there were conditions under which internal trade would develop; there was more of a union in name at least between the different districts than had hitherto been the case, while foreign trade had received a considerable stimulus from the settlement of the Danes and intercourse with their connections. We may distinguish different *nuclei* round which trade tended to centre, and thus see the conditions which brought about the origin of towns. What has been maintained in regard to other Teutonic lands[2] probably holds good of England also; any village which was recognised as a place of constant trade may be spoken of as a town.

Origin of towns. From very early times men have gathered to celebrate the memory of some hero by funeral games, and this has given the occasion for meeting and for trading, so that fairs were held annually at places of burial; to these the men of surrounding districts flocked, to take advantage of the best opportunities for making a satisfactory exchange. When

Even the monks were sometimes drawn from their arduous manual and literary labours to take part in warfare in 516 A.D. (Ibid. III. 303). It seems also to be generally held by numismatologists, though Dr Petrie dissents (*Round Towers*, 212), that the people of Ireland had minted no coins of their own before the Northmen began to settle among them (Keary, *Vikings*, 183), and hardly any specimens of Roman or early English and continental coins are found there; if so, their commerce was certainly unimportant. Though they were brave and skilful sailors the nature of the coracles they habitually used was unsuited for trade. (Montalembert, III. 218.) It is quite unlikely that under these circumstances there was any great development of industry or commerce. On the other hand unconscious testimony to the civilising influence of the Northmen is borne by the Irish chronicler who relates that after the battle of Clontarf "no Danes were left in the kingdom, except such a number of artisans and merchants in Dublin, Waterford, Wexford, Cork and Limerick, as could be easily mastered at any time, should they dare to rebel; and these King Brian very wisely permitted to remain in these seaport towns, for the purpose of encouraging trade and traffic, as they possessed many ships, and were experienced sailors." Quoted by Worsaae, *Danes and Norwegians*, 337.

[1] Lappenberg, *England under Saxon Kings*, II. 364.

[2] Sohm (*Entstehung des Städtewesens*, 12) insists that market rights are of primary and fundamental importance among all the various elements that have contributed to the growth of the rights enjoyed by German burgesses.

Christianity was introduced, and monasteries sprang up at the grave of each early martyr, the commemoration of the saint became the occasion of a similar assemblage[1] and thus religious gatherings served as great opportunities for trade[2]. Shrines, which attained a great celebrity, and were constantly frequented, were spots where trade could be carried on all the year round. Thus the origin of Glasgow may be traced from the burial-place of S. Ninian[3]. It is to be noted too that a stream of pilgrims, even if they journeyed with no other than religious aims, opened up a route that could be used for other purposes; the regular establishment in the twelfth century of a ferry across the Forth was due to Queen Margaret's desire to provide for the transit of the pilgrims who flocked to S. Andrews[4]. Such places as these would be suitable sites for annual fairs and would give opportunities for trade with more distant parts.

A.D. 787—A.D. 1066. *Shrines.*

A.D. 570.

For regular internal trade other centres would prove more suitable. In some places a single village has grown into a town, and such names as Birmingham indicate this origin; something of the old administration survived in many towns till the era of municipal reform in the last century, and there are doubtless instances where elements still remain, though they are not so obvious as in Scottish towns[5]. Some great cities like Athens and Rome have arisen through the coalescence of several villages, so that this has come to be considered as a typical mode of development. It is possible that some English towns grew up in this fashion[6]; the arrangement of the town-fields suggests

Villages.

Coalescence of villages.

[1] Village feasts not infrequently fall on the day of the dedication of the church, and show the universality of the tendency here noted.

[2] On this point, and indeed on the whole subject of the history of fairs in Europe, see Bourquelot's *Mémoire* in the *Acad. des Inscriptions*, II^me^ Série, v. i. 14.

[3] Skene, *Celtic Scotland*, II. 184.

[4] Skene, *op. cit.* II. 351. For the connection between pilgrimages and village trade in Russia see *Systems of Land Tenure*, 370.

[5] The provost or præpositus represents the headman, or officer elected by the villagers.

[6] Such an origin naturally suggests itself in the case of any city where several parishes abut together. The negative influence may certainly be drawn that towns like Leeds, Bradford, or Liverpool, which lie wholly within one parish, have not originated thus. The parish is the nearest modern representative of the primitive community. At the same time the parochial *organisation*—the vestry, churchwardens, &c.—appears to be of ecclesiastical origin, though it probably was

A.D. 787—A.D. 1066. that Cambridge grew from the combination of two separate villages[1]. Whether a town arose from coalescence or from a single township, it would be a centre of local trade and a market-town, properly so called[2]. A good deal of light on the early character of these towns may be got from survivals. It is obvious from an analysis of the officers[3] who were still maintained in many of them in 1834 that a very large proportion of our towns were originally agricultural villages; the *pinder*, whose business it was to impound strange cattle, is found in several; and the history of the town-fields[4] is well worth investigating.

Forts. The original nucleus in some cases might be incidentally due to the Danes; the "army" of which we read in the *Chronicle* occupied forts, and they would require supplies. Markets would also be created by the garrisons in the 910 *to* 924 A.D. positions which were fortified by Edward and Æthelfleda to keep the Danes in check[5],—such as Bridgnorth, Hertford, Tamworth, Stafford, and Warwick. Military centres, where royal authority was paramount, while the men of the shire were responsible for maintaining the fortifications, seem to *Roman relics.* have been deliberately planted[6]. In other cases the existence of a Roman road, and the neighbourhood of Roman building materials, would give the opportunity for raising a town on or near the site which they had occupied.

Several conditions combined. Though these different circumstances are enunciated as distinct, it is clear that, in many cases, two or more of them were present to account for the growth of a town in some particular spot. S. Albans had Roman remains, but it was also the shrine of the British protomartyr. Cambridge was apparently a fort, as well as a group of villages; while there were building materials at hand, in the remains of the

grafted, as in the case of other ecclesiastical institutions, on to existing civil divisions of territory. Bishop Hobhouse, Preface to *Church Wardens' Accounts* (Somerset Record Society), p. xi.

[1] Maitland, *Township and Burgh*, 52.

[2] On Village Markets in India see Phear, *Aryan Village*, 29.

[3] Gomme, *Index of Municipal Officers*, 7.

[4] Maitland, *op. cit.* 52. Lethaby, *London before the Conquest.*

[5] See especially Bedford, *English Chronicle*, 919. Kemble, *Saxons in England*, II. 321. On similar forts erected in France, compare Keary, *Vikings*, p. 303.

[6] Maitland, *Domesday Book and Beyond*, 187. On the growth of continental towns see Cunningham, *Essay on Western Civilisation*, II. 57 f.

Roman city[1]; these were distinct influences, but they might be so combined as to render one point an important centre of trade, and thus cause the growth of the town planted there to be very rapid. A.D. 787—A.D. 1066.

But when we have thus enumerated the different spots which commerce favoured, there is still much that must remain unexplained. The growth of a town on any of these spots was undoubtedly due to natural advantages of site and position; but it cannot be too often repeated that natural advantages are relative to the condition of human beings; what served as a good natural harbour two hundred years ago, would often be useless now: and so with all other means of communication. It is hard enough for us to try and realise the condition of any English town in, say the ninth century, and quite impossible to gauge the natural advantages of one spot over another for the conduct of a commerce which we understand so dimly. One thing indeed is clear; while roads were few and defective it was most important to make use of river communication as much as possible; and tidal streams which enabled the small sea-going vessels of the day to penetrate far inland led the way to the sites of the chief towns. Chester, York and Ipswich are cases in point; while the excellent natural canals on which Norwich, Doncaster[2] and Cambridge were situated, served almost as well. The precise physical conditions which have brought about the origin and development of different towns deserve careful attention from local historians. *Physical conditions.* *Tidal streams.*

VI. Economic Ideas and Structure.

A. Property.

42. At first sight it might seem hopeless for us to try and reach any real understanding of the nature of the economic ideas of our forefathers in primitive times, or at any rate impossible to specify the changes which took place during these long centuries. The written evidence is so B.C. 55—A.D. 1066.

[1] As well as at Grantchester. Bede, *H. E.* IV. cxix.

[2] Denton, *Fifteenth Century*, 183.

B.C. 55—A.D. 1066.

slight, and so much of one kind, that we can only get meagre fragments of direct information; but there are other data to which attention may be turned. The various entries in *Domesday Book* contain definite terms and imply clear and precise ideas on economic matters, such as could not possibly have been present to the minds of a semi-nomadic people. Men cannot think about phenomena, or describe them accurately, until they are brought within the range of their experience; economic ideas could not be precise and definite till the industrial and commercial life of the day had rendered the importance of accurate distinctions apparent. The more highly developed life of the eleventh century involved the habitual use of definite ideas of ownership and status, such as men, in the condition Cæsar describes, could not have grasped. Dealings at markets and fairs, as well as the assignment of definite portions of land, necessitate the employment of measures for which the primitive Germans could have had little use. How far the change was a native development, or how far it was due to the influence of Rome, whether exercised directly through imperial officers, or indirectly through ecclesiastics, is a question which demands much skilled investigation by specialists[1], but the greatness of the change cannot be doubted. The gist of the whole may be brought out by fixing our attention on the idea of property.

Economic phenomena and definite economic terms.

Property.

It is tolerably apparent that no one can wish to have permanent possession of a thing which he cannot use either for profit or pleasure; and that a knowledge of the arts of life and some power of applying natural materials and forces to human service must precede the attempt to appropriate them.

Use and appropriation

In the preceding pages attention has been directed to evidence which shows that the English were gradually learning to make better use of that which nature affords.

[1] Mr Seebohm and Mr Coote hold that imperial civilisation in Britain exercised a great deal of direct influence on the habits of the English settlers; but this view can hardly be reconciled with the history of the English invasion, and the evidence of the displacement of the old population. Sir Henry Maine pointed out that the practice of making *wills* was probably of ecclesiastical introduction. *Ancient Law*, 173. See also Earle, *Land Charters*, xv.

Nomads whose flocks crop the pasture do not appropriate the soil over which they wander; but when men have learned the arts of tillage, especially of intensive tillage, they wish to set up a claim to the exclusive use of particular portions of land; or a claim to property in land. When this claim is respected[1], and the right to use it is secured, there is property; common property is that which a man has a right to use along with others, private property is that which he has an exclusive right to use. At the time of the English Conquest our forefathers had so far emerged from the nomadic condition that the warriors acquired holdings either ideal or real, of their own, and claimed them by *folk right*[2]. Other rights over land were at later times assigned to corporations or individuals, and their exclusive use was secured by a *boc*. The terms of the grant show what a man had a right to in any given case; for distinct rights over the same area might be vested in different persons, as one man may have the right to till certain fields, and another the right to shoot over them. When Domesday Survey was compiled every yard of English soil was as really, if not as definitely, subject to rights as it is now; and these are treated in the Survey as individual rights, involving personal responsibility. The existence of property implies the existence of proprietors; and by the time of the Confessor the ties of blood and personal duty had been translated into other terms, and the social fabric was a system of contracts between proprietors.

B.C. 55—A.D. 1066.

of land.

English Society as constituted in the eleventh century, *Proprietors*

[1] The analysis of the modern conception of property gives us a metaphysical justification of private ownership rather than a real account of the genesis of the thing. In early times the conceptions of *dominium* and *proprietas* appear to have been blended (Maitland, *Township and Burgh*, 28—31), and the historical problem is as to the process by which each became distinct, as, with changing circumstances, it was expedient for manorial lords to make claims to the undeveloped wastes of a village, or to abandon claims to predial service. It may be sound to regard labour as the sole title to property as Locke did (*Civil Government*, c. v. § 27), or to treat it more generally as an embodiment of rational purpose with Hegel (*Phil. des Rechts*, pp. 76, 81) and J. H. Stirling (*Philosophy of Law*, p. 36); but these are attempts to defend the institution, not an account of its origin.

[2] See the *Oath*, Thorpe, I. 185. Pollock and Maitland, *History of English Law*, I. 37.

B.C. 55—A.D. 1066.

presents a striking contrast with English Society as we know it now, as well as with the life of the primitive tribes. Now every Englishman is a possible proprietor; he may be very poor and have few actual possessions, but he is secured in the enjoyment of them; and his own force and energy may enable him to amass great wealth and obtain large estates. But in the eleventh century this was not the case; and there was a line of demarcation between those who were free to part with property by gift or sale, and those who were themselves with their progeny the property of others. Apparently this was not a hard and fast line, dividing the nation into castes like those in India, for men might rise out of the unfree condition[1] or might lose their freedom[2], but it was none the less a definite line, however it was drawn at any one time[3]. *Domesday Book*, as well as the *Hundred Rolls* of the time of Edward the First, seems to take this scheme of demarcation for granted and classifies

Economic freedom.

[1] Seebohm holds that there was less opportunity for rising in social status in the ninth century. *Tribal Custom in Anglo-Saxon Law*, 367. *The Saga of King Olaf the Saint*, cc. 21, 22, describes a viking who was a benevolent master. "Erling had also a ship of thirty-two benches of rowers, which was besides very large for that size, and which he used in viking cruises, or on an expedition; and in it there were 200 men at the very least. Erling had always at home on his farm thirty slaves, besides other serving people. He gave his slaves a certain day's work; but after it he gave them leisure, and leave that each should work in the twilight and at night for himself, and as he pleased. He gave them arable land to sow corn in, and let them apply their crops to their own use. He laid upon each a certain quantity of labour to work themselves free by doing it; and there were many who bought their freedom in this way in one year, or in the second year, and all who had any luck could make themselves free within three years. With this money he bought other slaves; and to some of his freed people he showed how to work on the herring fishery; to others he showed some useful handicraft; and some cleared his outfields and set up houses. He helped all to prosperity." Laing, *Chronicles*, II. 19.

[2] Stubbs, *Constitutional History*, I. 78. When William devastated North-umbria, and a terrible famine prevailed, some persons were forced to sell themselves into perpetual slavery. Roger of Hoveden, I. p. 119.

[3] Professor Maitland points out that the important legal distinction, as shown in the early laws, is between the man for whom a *wergild* should be paid and whose relatives had some sort of right of feud, and the man who was a mere chattel, like an ox or other beast of the field. The *villani* of *Domesday* were free according to this older distinction. In the thirteenth century the obligation to pay *merchet* on the marriage of a daughter was the chief distinguishing condition which proved whether a man were free or no; and according to this, classes which were formerly free were counted as servile.

the population into these two broad divisions[1]. There were many subdivisions within each of the great classes, but for economic purposes at all events they are not obviously important; the main division lay between those who were free under known conditions to possess and to part with land, and those who with their progeny were attached to another man's estate. Leaving out of account for a time all questions connected with the unfree, we may see how all the organisation of society, for military, judicial or fiscal purposes, was interpreted in terms of property, even if it was not as a matter of fact grounded upon this basis. B.C. 55—A.D. 1066. *Reorganisation of Society on a proprietary basis.*

43. The great importance of this change lay in the fact that it was possible to state the duties and responsibilities of each individual in definite terms. Personal obligations are vague and indefinite; it may be a duty to follow a leader in the fight, but the questions as to how often he is to be followed, and how far, and for how long a time, could be at all events most easily defined in connection with the tenure of property; this also served as some security for the fulfilment of obligations. The process of commendation[2] may have been convenient to the humbler freeman as a means of obtaining protection for person or property, or both[3]; it was also convenient to the military earl, as a means of securing more effective organisation. There are signs of military organisation in several of the entries of the *Chronicle* which *Indefinite and definite obligations.* *Commendation.* *Military organisation.*

[1] It seems to be analogous to the distinction between *gesithcund* and *ceorlisc* in Ine's Laws (Seebohm, 447). Another line of division in Anglo-Saxon times was drawn between the value of a man's life and of his testimony as an oath-helper, and Englishmen were ranked as *twelf-hynde* and *twy-hynde*. Seebohm, *op. cit.* 406.

[2] Commendation was the choice of a lord by a landless man or free proprietor who required surety and protection. Stubbs, *Const. Hist.* I. 153.

[3] Mr Scrutton has called attention to some interesting instances of commendation in Norfolk: "At Dersingham we read 'In eadem villa tenent 21 liberi homines 2 carucatas terrae et 35 acras, 5 bordarii, 3 carucas, 7 acras prati... habet suus antecessor' (the predecessor of the then lord of the manor) 'commendationem tantum, et horum 18, si vellent recedere, daret quisque duos solidos: Stigand de omnibus socam.' Here we may conjecture that the village community of the 21 liberi homines had put itself under the protection of a more powerful man, at first retaining the ownership of its lands, which it afterwards lost. At Horsey in the same county the stage of commendation is a little later in date." *Common Fields*, 14. Some Cambridgeshire cases which point to a similar process occur in *Domesday*, Escelforde, I. 198 a, 2, 191 a, 2. Herlestone, I. 200 a, 2. Hauochestone, I. 198 a, 1.

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deal with the Danes; as for example in 874, when Ceolwulf held Mercia on their behalf, and gave hostages that he would be ready to help them in his own person and with all that should follow him. In 917 the Lady of Mercia got possession of Derby and all that owed obedience thereto, and in the next year, Leicester, "and the greater part of the army that owed obedience thereto became subject to her; and the people of York had also covenanted with her, some having given a pledge and some having bound themselves by an oath that they would be at her command." In the same year as the result of Edward's successes, "Thurkytel the earl sought to him to be his lord, and all the captains, and almost all the chief men who owed obedience to Bedford, and many of those who owed obedience to Northampton." Commendations and oaths[1] and military tenure seem here to be taking the place of the loyalty and discipline which had been previously secured by pledges and hostages.

A.D. 874.

A.D. 917.

A.D. 918.

Military service.

The personal devotion of the *comes* to the *princeps* may have been more effective when it was flavoured with the expectation of a share in the spoils, and not by gratitude for a grant in the past. There must have been difficulty in enforcing the claim to personal service when it was not fully rendered; and this may be one reason why the English defence collapsed at the time of the Danish invasion. At any rate, when the monarchy was reconstituted and reorganised under Cnut and the Confessor, the claim for service no longer rested on a mere personal tie, but was made on each man as the holder of so much property; the obligation was not imposed on him so much as on his possessions. There is a significant hint of this change in the law which determined that a churl should rank as a thegn as soon as he had land enough to fulfil the duties of his position[2].

Fiscal responsibility.

Thus military obligations which had originally been personal came by commendation to be defined in terms of property; and when, through the failure to maintain an effective defence, tributary Danegeld was levied, the relations of the

[1] *Oaths*, 1. Thorpe, I. 179.
[2] *Ranks*, 2. Thorpe, I. 191.

poorer and richer proprietors might well undergo a change[1]. Those who were able to discharge this heavy fiscal responsibility would confer a real benefit on their neighbours by undertaking to pay the geld when it was due, and accepting a regular rent in return. B.C. 55—A.D. 1066.

Judicial responsibility.

In a somewhat similar fashion the judicial status of each individual—the immunities he claimed and the jurisdiction he exercised—was defined in connection with the property he possessed. It was an enormous advantage for the man who was sued for any offence to be able to rely on the help of a powerful friend; the great lord who answered for his man and was willing to maintain his cause in the king's court, was an antagonist that no suitor would willingly face, and from whom it was difficult to obtain the desired redress. The wish to secure such assistance in connection with criminal charges or other litigation must have been a great incentive to commendation[2], but the lord could hardly be expected to make himself responsible for a man over whom he possessed no control. Hence the freeman was bound to attend at the manorial court; the lord had *toll* and *team*, the rights of *sac* and *soc*[3]—whatever these difficult terms implied—and he was to this extent free from the jurisdiction of others. It is needless to speculate here how such jurisdiction arose,—how far from royal grant, and how far as a survival of the primitive police of little communities; but it did not rest on personal qualifications or powers, and it was exercised in connection with the possession of so much land, and marked the status of different classes of proprietors. "As soon as a man found himself obliged to suit and service in the court of a stronger neighbour, it needed but a single step to turn the practice into theory and to regard him as holding his land in consideration of that suit and service[4]."

[1] The pressure of the land revenue in India, and the proprietary changes which have followed in connection with the work of collecting it—as in the permanent settlement of Bengal under Lord Cornwallis—offer an illustration from real life of the hypothesis in the text. See below, p. 111.

[2] *Edward and Guthrum*, 12. Thorpe, I. 175. *Æthelstan*, I. 2, 3. Thorpe, I. 201.

[3] Maitland, *Select Pleas, Manorial* (*Selden Society*), I. xxiii. *Domesday*, Horsei, I. 199 b, 2; Wadon, 194 b, 1; Orduuelle, I. 198 b, 2; 193 b, 1.

[4] Stubbs, *Constitutional History*, I. 189.

B.C. 55—A.D. 1066 *Proprietary obligations.*

44. By the time of the Confessor then, the social organism had embodied itself in a 'territorial shell,' and various duties incumbent on free Englishmen were commonly stated as incident to the positions of proprietors of so much land and of such land. These obligations correspond to what we should call taxation; though they often consisted of actual service, and not merely of money payments

Trinoda necessitas.

(*a*) Actual service was rendered in the defence of the country, actual work on roads and bridges, and on fortifications; this was the *trinoda necessitas*[1] from which even favoured personages were apparently never exempted. Neglect to attend the *fyrd* entailed very serious punishment[2]: but there were other personal services from which many of the holders of bocland were exempted by the terms of their charter The most common of these perhaps was the employment of their teams in public service at the requirement of the sheriff[3]

Definite obligations.

For the taxpayer it was most important that these exactions should not be unlimited but should be defined; and the precise obligations at the time of the Domesday Survey appear to have been well known and easily put on record. The land, originally apportioned or granted by boc, was subject to many burdens; the tenants of the king's lands were under special if not better conditions, since they paid rent to the king (*gafol* or *gablum*) as being the landlord of their estates, as well as services to him in his capacity as king[4]. In later days it appears that the tenants on royal domain were on the whole more favourably dealt with than others, and bore less of the public burdens. The

[1] This appears to be incorporated in the administrative system of Charlemagne. Dr Stubbs has noticed the obligation in genuine English charters of the eighth century, but does not regard it as derived directly from Roman Imperial Institutions, *Const. Hist.*, I. 76. Compare on the other hand Coote, *Romans of Britain*, p. 259.

[2] *Laws of Ine*, § 51. Thorpe, I. 135. On the other hand the length of service in the field was defined as extending to no more than 60 days; a limitation which was of fatal importance in connection with the success of the Norman invasion. Freeman, *Norman Conquest*, III. 336, 404.

[3] The *Rectitudines Singularum Personarum* gives the following enumeration: Et de multis terris magis laudirectum exurgit ad bannum regis, sic est deorhege ad mansionem regiam, et sceorpum in hosticum, et custodiam maris, et capitis, et pacis, et elmesfeoh, id est pecunia elemosine, et cirisceatum, et alie res multimode. Thorpe, I. 432.

[4] Round, in *Domesday Studies*, I. 132.

owner of bocland might have got a very favourable charter, even one which gave him practical immunity from all burdens except the three. B.C. 55—A.D. 1066.

(*b*) There was also a certain amount of ecclesiastical taxation. The Christian duty of giving a tenth of one's substance to God had been enforced from the time of a legatine council in 787, and thus the payment of tithe was established. A considerable sum was also levied by a tax of a penny on every hearth and transmitted to Rome; the first payment is associated with the name of Offa, but it had become a regular tax in the tenth century. *Tithe.*

(*c*) Up to the time of the Conquest the ordinary public duties were chiefly defrayed by actual service, or the service of deputies; but there were also extraordinary burdens which were necessarily paid in money, such as the *geld* or *Danegeld*, which was originally a *tributary* payment exacted as a means of buying off the Danes, but was subsequently levied as stipendiary, so as to maintain the mercenary defensive force. This was paid off in 1050; but the precedent thus set enabled Edward the Confessor, and the Norman kings to levy similar exactions when emergencies arose[1]. The due assessment of the geld was the primary purpose which the Conqueror had in view in taking the Domesday Survey. The information it contains as to the changes among the owners of land, or the character of their tenure, is all incidental; the main object was to provide a satisfactory basis for the assessment of this revenue. *Danegeld.*

45. If we turn to consider the position of the unfree man, we find that this too is susceptible of definition in connection with what he had. If he was not a free proprietor, neither was he a mere chattel; he was able to hold land and use it, even though he did not own it, and could not sell it. He was restricted to one estate, and he and his progeny were *The unfree classes.*

[1] Round, in *Domesday Studies*, I. 81. An interesting illustration of tributary Danegeld, from the point of view of those who were engaged in collecting it, occurs in a Saga.

"Sigurd imposed a tribute on the inhabitants of Man, and when they had made peace the Jarl left men behind him to collect the tribute: it was mostly paid in smelted silver." Subsequently the collectors were wrecked on the Irish coast, and relieved by an Icelander who traded with Dublin, and who sold them a boat, and "took therefore a great part of the tribute." Beamish, p. 187.

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under the control of the lord, but he had recognised privileges too. The estates were worked by tenants who contributed services in return for the holdings assigned them, and who each stood in an economic relation to the proprietor; they did the work on his domain farm, and they also held land which they cultivated for themselves and with stock provided by the lord[1]. The most important thing for the lord was that he should be able to attach a large body of dependents to his estate; the most important for the tenant that the kind of service and amount of service due from him should be definitely settled. Though there may have been many estates where arbitrary exactions were still in vogue[2], the obligations of the tenants of different sorts were in many cases clearly defined in the time of the Confessor.

Definite obligations

The economic relation thus indicated can hardly be satisfactorily described in modern terms, as these connote distinctions which only emerged at a later date. We might say that the landlord received a labour-rent for the tenant's holding, or we might say that the tenant received a holding as wages for the work done for the lord; again it might be contended that part of the return due to the landlord was rendered on account of the use of the oxen with which the tenant's holding was stocked. But the fact that all these three were combined renders it impossible to compare the receipts of the Domesday proprietor with modern rents, or the position of the agricultural labourer then and now.

difficult to describe in modern terms

At the same time we may notice that so soon as the relations of lord and serf come to be defined as economic incidents of the tenure of land, they had taken a shape in which they could be commuted for money payments, and stated in a pecuniary form. In the time of the Confessor, the obligations of the tenants could be valued in terms of money, and on some of the royal estates in particular the commutation of service for money appears to have come in.

but susceptible of commutation.

The usual duties of the different classes of unfree tenants on a manorial estate are described in great detail in an eleventh century document entitled the *Rectitudines Singu-*

[1] On the customary method of settling tenants on the land see *Laws of Ine*, 67, and Seebohm, *Tribal Custom*, 422.

[2] Pollock, *Land Laws*, p. 49.

larum Personarum; taken in conjunction with the *Gerefa*, recently discovered by Dr Liebermann, of which a translation is printed in the Appendix, it throws much interesting light on the management of a great estate at the beginning of the eleventh century. The *cotsetle* had a holding of about five acres, and was bound to work for his lord one day a week all the year round (*weekwork*) and three days a week in harvest (*boonwork*). The *gebur* had a yardland, of thirty or forty acres, which when he entered it was stocked with two oxen and one cow and six sheep, as well as tools for his work and utensils for his house; he was in return to do, as *weekwork*, either two or three days a week according to the season; and he was to lie at the lord's fold in winter as often as he was told; several payments are also specified, as well as occasional *boonwork*. The whole statement may be taken as typical, but we are reminded that the different customs of different estates may have varied very greatly; still it is evident that the obligations on each particular estate were defined with considerable precision in recognized quantities of service or money, or money's worth.

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Cotsetle.

Gebur.

46. A feudal society which was thus interpenetrated by ideas of property, and the obligations incident to the tenure of property, offers many close analogies with that which was in vogue under the Roman empire; on the other hand it presents strong contrasts with the amorphous and flexible condition of the German tribes at the time of Cæsar or Tacitus, or even at the time of the English Conquest. On the grounds of this double probability it has been argued with great force and learning by Mr Coote[1] and later by Mr Seebohm[2] that the destruction wrought by the English invasion has been exaggerated, and that Roman civilisation survived the shock and reappeared at the time of the Confessor with but little change from the form in which it had existed in the days of Constantine, save that Christian teaching had affected it, and ameliorated the lot of the serf.

Resemblance of feudal to Roman Society and contrast with the condition of the English in Frisia.

Did Roman civilisation substantially survive?

Their case is very strong from some points of view; it seems unlikely that a great civilisation should disappear, and that another civilisation so closely resembling it should arise

Reasons for answering in the negative.

[1] *Romans of Britain*, p. 5.

[2] *Village Community*, cc. viii, xi.

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a few centuries later on exactly the same lands. It is incumbent on those who believe that the balance of probability after all favours this view to show the grounds on which they rely for proof of the destruction of the imperial civilisation, and to make it clear that the reconstruction of such a similar society was possible within the available time.

Proof of destruction from histories and relics.

The proof of destruction has been already given[1]; the histories are agreed as to the disintegration of society and the conquest of the Roman province of Britain; but it is possible that the statements of Bede and Nennius, who are inclined to moralise on the events, are somewhat exaggerated or only refer to special localities. The histories are however confirmed by monuments, which tell of the utter and rapid ruin of flourishing houses and cities. They are also confirmed by the facts that the old language did not survive and that the Christian religion was not preserved where the English settled. Had the English Conquest been a mere raid which swept over but did not overthrow the Roman civilisation, the country would have been Christian, as Wales or Gaul was Christian, before the time of S. Augustine or S. Cuthbert, and our language would have been a Roman or Gaelic dialect like French, or Welsh. In other countries like France or Italy, the ecclesiastical divisions served to perpetuate the memory of the old civil divisions of the Roman provinces[2]; but the English dioceses have no apparent relation to the territorial divisions of Britain under the Roman Empire; they seem to have been completely effaced at the time when Gregory determined to plant the Church in England. There is no reason to believe that the fiscal system or the military system could survive, when the language and religion were swept away and left so few traces behind[3]. The burden of proof seems to rest with those who maintain that despite these sweeping changes, the organisation of rural industry was practically unchanged, and that the Roman villa remained untouched in all its main features[4].

Little survival of language or religion.

[1] See p. 59 above.

[2] Freeman, *Historical Geography*, I. 166.

[3] For indications of survival of both compare Coote, *Romans of Britain*, pp. 416, 458.

[4] Compare Prof. Ashley, Introduction to Mrs Ashley's translation of Fustel de Coulanges, *Origin of Property in Land*, p. xxxii.

On the other hand, the things which speak to us most plainly of the Romans, such as the roads, the camps, the trees, the stones of centuriation, would be little affected by a great social upheaval, and would remain unless they were deliberately destroyed. A very small surviving element of population would serve to keep the old local names, and to preserve a few terms as well. B.C. 55—A.D. 1066. *Nature of Roman remains.*

47. The argument as to the possibility of the growth of a similar society must necessarily be more or less hypothetical; for we have no such sufficient records of the first settlement and subsequent changes as to enable us to specify all the steps. *Possibility of the reconstruction of a similar society.*

(i) It may be pointed out however that an argument drawn from the great similarity between the two societies in favour of a real continuity of the same social type, is by no means conclusive. There is a danger of neglecting purely natural resemblances. In all societies where agriculture is carried on in the same sort of way there must be many analogies in detail; a similar team will be required, and the mode of laying out the land which is convenient for the day's work will also be similar. As noted below there are many natural units of measurement which will come to be used so soon as a people wish to have accurate knowledge of height or area or value. It can be shown that the English need not have derived their knowledge of ploughing with oxen from the Romans, since this is a practice common to the Aryan race, and it naturally follows that there must have been many similarities of detail which were necessarily involved in this practice and need not have been derived from any outside source. If our acre were precisely identical with the Roman acre there would be either a very strange coincidence or a proof of dependence; but a mere similarity can be accounted for without supposing actual derivation[1]. *Similarity does not prove continuity,*

(ii) Nor need we suppose that there was continuity even when there is precise identity of usage, if we can account for the late introduction of the Roman habit from another source. *especially when we can account for the reintroduction of a Roman habit.*

[1] The fact of the variety of local measures seems to indicate that they were not derived from a common source

B.C. 55—A.D. 1066.

The influence of Roman missionaries must have been enormous; and the Roman Calendar, and much Roman terminology, legal and other, would easily come from this source. This must be borne in mind in estimating the bearing of documentary evidence on the point in dispute[1]; the ecclesiastics who drafted the early charters would be likely to use Roman terminology to designate existing institutions, whether they were survivals from the imperial times, or a native English development. Further, the desire of English kinglets to imitate the doings of Charles the Great, makes it clear that in so far as his *Capitularies* became known they would modify the customs current in England. When we have discounted these elements of similarity, the force of the argument for continuity is greatly weakened.

Not impossible that feudal society was a native growth.

(iii) It remains to be seen whether the dissimilarity between the life of the English invaders and the social system at the time of the Confessor, is so great that we cannot suppose the one was a development of the other. Here again the argument must be merely hypothetical; it is only thus we can see whether two sets of well-established facts can be reconciled or not; but even if we cannot altogether account for the growth of the new civilisation, the evidence adduced for the destruction of the old, and the consequent breach of continuity, remains unshaken.

Military responsibility.

(*a*) The English occupation was the settlement of an army, and preserved certain features of military organisation; military responsibilities are implied in the proprietary system under the Confessor; but the chief difference is that the class of free soldiers working shares of communal property seems to have disappeared, and a class of lords relying on the labour of dependents had taken its place. But we may remember that this is parallel to a change which occurred in Italy itself; the old type of Roman citizen who cultivated his own land and also fought in the armies of the republic, disappeared under the pressure of many wars; some were killed off, and many more were utterly impoverished; so that the old system of proprietary cultivation was superseded by the *latifundia*, cultivated by dependents. The

Roman analogy.

[1] Ashley, *Origin of Property in Land*, xv.

wars against the Danes would be likely to necessitate more elaborate organisation, in which whole villages were forced in self-defence to accept a position of dependence on a neighbour[1]. B.C. 55—A.D. 1066.

(*b*) It is said, however, that the composition of each estate, and the dependents who worked it, could never have grown out of free associations of cultivating soldiers. It is of course unlikely that all had the same history, and it is probable enough that many were originally servile, even if others were originally free. Professor Maitland has shown that there were villages at the Domesday period which were free from seignorial domination[2], and these may have been the surviving representatives of a state of affairs which had once been very general. After all, a village community is a social unit employed in the prosecution of agriculture; its members will manage their affairs in much the same way whether they are in other respects free or servile. The Welshmen[3] in their scattered hamlets would probably feel the yoke of the conqueror[4], and so would the men in the English villages that succumbed in the subsequent conflicts for supremacy; but they would still be independent in managing their internal affairs, and they would continue to elect their own *praepositus*[5] though their status was lowered. *Manorial estates.* *Servile cultivators.*

On the other hand, the free soldiers were probably associated together for the cultivation of the lands originally assigned them, and arranged their common affairs by electing their own administrators from time to time. As the process of individualising the shares went on, there was increasing room for the growth of inequalities within each group. The success of some men would enable them to secure the help of dependents, while others, in the stress of their poverty, might bargain themselves into a servile condition. The necessity for doing so might arise from any one of a large number of different contingencies. Whenever an individual or a village became liable to a heavy fine on *Free soldiers.*

[1] Andrews, *Old English Manor*, 70. [2] *Domesday Book and Beyond*, 129.

[3] The evidence from Wales, Palmer, *Ancient Tenures*, p. 115, points to a time of premanorial freedom in some Welsh *maenols*. Compare also the history of the Russian *mir*. Kovalevsky, *Modern Customs and Ancient Laws of Russia*, 81.

[4] Seebohm, *Tribal Custom*, 399. [5] See below, p. 236.

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account of some crime committed[1], they might have to throw themselves on the mercy of the lord and compound by accepting more onerous obligations for themselves and their children for all time. The pressure of royal demands for geld, or of tithe[2] might be severe, and little grace was given to the man who failed to pay on the right day and was likely to fall into arrear. Whenever a man incurred a liability which he could not discharge, his more fortunate neighbour might come to his aid, and help him in the pressing emergency, but on terms that made a permanent change in their relative positions for the future. The mere pressure of a bad season apart from anything else might force men down to a lower social grade on which their children would continue to live[3]. Even in a land like India where custom is much more stereotyped than here, the village communities are breaking up, sometimes by partition into separate estates, and sometimes by a wealthy man absorbing the property of all; a manorial farm, or a group of small manorial farms will then take the place of the community. The process in India appears to be closely connected with the pressure of the land tax; the *patel*, or any officer who is responsible for the collection of the village assessment, may be able to rise to a position of superiority over the other villagers, especially if they fall behind hand with their payments and he advances the money. The imposition of the Danegeld and efforts to collect it may well have had similar effects in England. If it is true that the *manerium*[4] was the economic unit[5] from which the payments were in the first instance collected, the lord of each *manerium* was put in a position of considerable responsibility for his neighbours, and consequent power of controlling them. In any case the Indian analogies seem to show that it was

Indian analogies.

[1] *Laws of Edward and Guthrum*, 12 seq. Thorpe, I. 175. *Ethelred*, VII. 16. Thorpe, I. 333.

[2] *Ethelred*, IX. 7—12. Thorpe, I. 343.

[3] *Nehemiah* v. 1—5. The change which occurs in Ireland when a tenant is hopelessly in arrears and after eviction is reinstated as a care-taker may serve as a modern illustration.

[4] See below, p. 127.

[5] The *Rectitudines* appear to state the economic relations of each member of a typical manor *but do not mention* the fiscal connection with other proprietors.

not impossible for manorial farms to grow out of and supersede communities of freemen in the course of four or five centuries, even though we cannot follow the actual course of the change. To do so we should have to speak not of England in general, but of particular districts; Danish England differed greatly from the southern portion, and in particular contained a far larger proportion of freemen; but even within the Danelagh there were great varieties, for neither the Welsh nor the English were wholly swept away. The actual history would need to be a local history, which tried to examine what the original settlement in one parish after another had been, and to what causes the changes in each place were due. That such history cannot be completely recovered is obvious; but in default of it we must be content with seeing that the supposed change was possible. B.C. 55—A.D. 1066. *Local history.*

Evidence of the loss of freedom in historic times, or of its survival till a comparatively late period, must also be taken into account, before it can be admitted that all members of the original English village communities were servile. Even if the village community was not broken up, the members might lose their status by the necessity of commendation[1]; and indications of primitive freedom are found as late as the fifteenth century[2]. There was a tendency to gravitate to a lower status; and though there is ample evidence in the period after the Conquest of the rearrangement of economic relations, and acceptance of money payments in lieu of service[3], it is difficult to see under what circumstances a lord would plant a body of freemen on his estate unless he found it necessary to provide for comrades in war, as was done both by Danes and Normans. It seems most reasonable to treat the isolated instances of lordless villages as survivals of a state *Survivals.*

[1] Mr Seebohm refers to interesting analogies, *Village Community*, p. 307.

[2] Scrutton, *Common Fields*, 14. The judicial evidence as to the original constitution of manorial courts also seems to point to the existence of a considerable class of freemen. Maitland, *Select Pleas, Manorial* (Selden Society), I. lxv.

[3] These commutations cannot be taken as evidence of increasing freedom on the part of the villeins. It appears that the services exacted on the Ramsey Manors became more onerous during the thirteenth century. Neilson, *Economic Condition of the Manors of Ramsey Abbey*, 50.

B.C. 55—A.D. 1066. of affairs which had once been general among the original English settlers[1].

B. Exchange.

Facilities for exchange.

48. The commerce of the primitive tribes must have been of a very elementary character; whereas in England at the time of the Conquest the trade was large and definitely regulated. There must then have been a steady improvement in the facilities for exchange, and in the other conditions which are necessary in order that it may be carried on. The primitive tribes had possessed coins, and payment in kind still survived after the Norman Conquest; but the one mode of conducting exchanges was gradually superseding the other and it is worth while to consider what is involved in the change

Barter.

from barter to the use of money, and the immense advantages for the conduct of trade which follow. Exchange in its earliest forms can only be barter, the exchange of one object of use for another object of use, but even in this simplest type there are distinctions which are worth noting. The man who is most anxious to conclude a bargain will always gain less advantage from it than the other; the savage, who covets a sailor's jack-knife, and feels that anything he has would be worth sacrificing for the sake of possessing it, will be willing to give a tusk of ivory or anything else the sailor fancies; the savage gratifies his pressing need, but the sailor has got an article which would usually give him much more trouble to procure than another knife would[2]. The man who is least

[1] On the whole subject compare Prof. Vinogradoff, *Villainage in England*. See above, p. 63, n. 2.

[2] The commerce between the Danes and the Esquimaux offers an instructive illustration. "When they came together they began to barter, and these people would rather have red cloth than anything else; for this they had to offer skins and real furs...For an entire fur skin the Skraelings took a piece of red cloth, a span long, and bound it round their heads. Thus went on their traffic for a time, then the cloth began to fall short among Karlsefne and his people, and they cut it asunder into small pieces which were not wider than the breadth of a finger, and still the Skraelings gave as much for that as they did before, and more." When the cloth was all gone, Karlsefne got the women to take out milk porridge to the Skraelings, who were so delighted with this new article that they would buy nothing else. "Thus the traffic of the Skraelings was wound up by their bearing away their purchases in their stomachs, but Karlsefne and his companions retained their goods and their skins." *Sagas of Thorfinn Karlsefne* and *Erik the Red*. Beamish, p. 97.

anxious about the matter drives the best bargain; we may call him even in a case of barter, the *seller*, and the man who has set his heart on a particular article, the *buyer*. B.C. 55—A.D. 1066. *Sellers and buyers.*

Again we may see the *limits* within which the exchange can take place; the jack-knife has a certain usefulness to the sailor, he would not part with it except for an amount of ivory which would at least enable him to buy another; while the savage sees no prospect of securing another if he lets this opportunity slip, and its usefulness to him is immense. In technical language, *value in use* to the buyer and *value in use* to the seller give the extreme limits within which the price in ivory can fall. *Limits of possible exchange.* *Value in use.*

The consideration of the limits of exchange enables us to understand the nature of the gains that are made by traders. The trader has a supply of knives or other articles which the savages are anxious to use, and he gets from them articles which he does not himself want to use, but only to exchange again[1]; his own anxiety is at a minimum and thus he can, in the absence of competition, drive up the price to almost the point of value-in-use to the buyer. He may be able to drive a similarly good bargain with others who mean to use them, in disposing of the commodities he has himself received in exchange. This is the secret of the enormous profits made by the merchants in eastern caravans, amounting to 200 or 300 per cent.; they do business on a system of tedious bargaining in which they reap a benefit through the difference between the importance of an article to one who wants to use it, and its importance to one who regards it as a mere article of commerce. *Gains of traders.* *Caravan trade.*

The intervention of money—or a *medium* of exchange—facilitates trade by reducing the disadvantage to which the buyer is exposed in simple barter. Simple barter fails to afford facilities for many exchanges which would be advantageous if they could be carried out. I have a coat which I *Money as a medium of exchange.*

[1] This distinction is of great importance and is very clearly stated by Aristotle: *ἑκάστου γὰρ κτήματος διττὴ ἡ χρῆσις ἐστίν,...ἀλλ' ἡ μὲν οἰκεία ἡ δ' οὐκ οἰκεία τοῦ πράγματος, οἷον ὑποδήματος ἥ τε ὑπόδεσις καὶ ἡ μεταβλητική. ἀμφότεραι γὰρ ὑποδήματος χρήσεις· καὶ γὰρ ὁ ἀλλαττόμενος τῷ δεομένῳ ὑποδήματος ἀντὶ νομίσματος ἢ τροφῆς χρῆται τῷ ὑποδήματι ᾗ ὑπόδημα, ἀλλ' οὐ τὴν οἰκείαν χρῆσιν· οὐ γὰρ ἀλλαγῆς ἕνεκεν γέγονεν.* *Politics*, I. c. 9, §§ 2, 3.

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want to exchange for bread; you have bread which you want to exchange for boots; unless a third party comes on the scene it may be impossible for us to arrange any terms at all[1]. There may be a similar difficulty in effecting an exchange when the right articles are present, but in quantities that cannot be fairly equalised. All these disadvantages in barter are obvious, but it is worth while to try and notice how far they may be overcome, even before the general introduction of pieces of money.

Functions of money;

To discuss this we must consider the various functions which are performed by coins[2]. It is in terms of coins that we reckon the value of different articles, one is worth five,

unit for comparison;

another six shillings; a current coin serves as a *unit* for the comparison of wares. Again, coins are universally desired; people are always ready to accept coins, because it is a form of wealth for which they can always find a use; coins are

medium of exchange;

therefore a *medium of exchange*, and as they are very divisible and equable they form a singularly good medium. Again, when payments have to be made at any time in the future—

standard for payments.

or over a period of years—it is coinage that gives a *standard* for deferred payments; while lastly, the compact form in which a great value is contained makes coins a suitable commodity for hoarding.

Slaves and cattle as media.

In early stages of society cattle are universally desired, as also are slaves, and these articles can therefore be used as media of exchange; but it is obvious that as a living animal cannot be divided, slaves or cattle only serve this purpose for large payments. Though they probably had no better media in some pre-historic periods, the English were acquainted with the use of coinage for some payments at the time of the

[1] Mr Frazer has pointed out to me a curious case from real life which is given by Mr Brooke:

"A Dyak has no conception of the use of a circulating medium. He may be seen wandering in the Bazaar with a ball of beeswax in his hand for days together, because he can't find anybody willing to take it for the exact article he requires. This article may not be more than a tenth of the value of the beeswax, but he would not sell it for money, and then buy what he wants. From the first, he had the particular article in his mind's eye, and worked for the identical ball of beeswax with which and nothing else to purchase it." *Ten Years in Sarawak*, vol. I. p. 156.

[2] Walker, *Money*, pp. 1—23.

occupation of Britain. We are accustomed to a well marked unit, represented by a definite piece of metal, in terms of which the value of articles can be measured; and we can scarcely see what meaning prices would have if no such tangible unit existed. But primitive circulating media were in all probability little used, and it was possible to manage fairly well with an ideal unit for money of account; one could compare a book worth five shillings with a stool worth six, even if no shillings were ever coined; and the *mancus* appears to have been a unit of comparison, but a merely ideal unit[1] to which no coin corresponded. The difficulty of finding an unvarying standard never in all probability occurred to our forefathers; but as a matter of practical convenience they hit on a system which is now recommended by scientific authorities as fair; for deferred payments it was customary to agree to give provender rents[2]. Uncoined precious metals served as well for hoarding as coins do, and each of the kings would doubtless aim at the possession of such a treasure. As trade flourished it would become more possible to procure the precious metals; if Thorpe's collection of documents is really representative, it would seem that during the ninth century these metals became much more abundant. Occasional donations of them are mentioned after 811, and regular money payments from tenants appear to date back as far as 900. It would however be an error to suppose that estimates of obligations in terms of money always imply that the debt was actually discharged in coin and not in kind.

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Ideal units.

Rents in kind.

Precious metals

We may thus see that all the various functions of money could be performed, if not so well, at least to such an extent

and the circulation of coins.

[1] Ruding, *Annals*, I. 111.

[2] An example is in the Tichbourne estate, twenty hides of which were granted by Edward the Elder to the Bishop of Winchester on this condition, among others, "that every year at the return of the day there be given twelve sesters of beer, and twelve of sweet Welsh ale, and twenty ambers of clear ale, and two hundred great loaves, and a third of small, and two oxen, one salt, the other fresh, and six wethers, and four swine, and four flitches, and twenty cheeses. If it happen to be Lent, then let the worth of the flesh be obtained in fish unless it be extremely abundant." Thorpe, *Dip. Ang.* p. 158. We have here in actual use a system of payment which would always supply a sufficient feast to the king and his court, and which has, curiously enough, a resemblance to the plan of a multiple legal tender proposed by Prof. Jevons, *Money*, p. 327. It suited the convenience of many monasteries to continue (Maitland, *Domesday Book and Beyond*, 319) and to impose (Vinogradoff, *Villainage in England*, 304) food rents.

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as to render the circulation of wares[1] possible, before the introduction of coins. That step was an expensive one; it is not every man who is well supplied with ready money, and it is not every community that is so rich as to be able to afford the amount of precious metals which must be provided before there can be a general circulation of coins. When the advantages of coinage were realised, and when the kings saw that taxes could be more easily collected, or that by promoting trade they could increase their own dues, they would doubtless make great efforts to provide a metallic currency. We shall not perhaps be far wrong if we argue that the imposition of the Danegeld implies that there was a very general diffusion of the precious metals through the country in the eleventh century.

49. The Domesday Survey is retrospective, and embodies a great deal of information about the time of the Confessor; indirect evidence of the advanced condition of society before the Norman Conquest is to be found in the precision with which measurements of all sorts could be taken. This Survey, as well as the Laws which have been so often quoted, shows that Englishmen had accurate terms by which payments of all sorts, whether in money or in kind or in service, could be defined; indeed there were several distinct metric systems, which were apparently prevalent in Welsh, English and Danish districts respectively. The whole subject is beset with many difficulties, partly because the same term may mean one thing when it is used in a Danish and something else in an English district, but chiefly because the connotation of the words themselves must have changed, and sometimes came to be defined more precisely. Progress in this as in other matters is from the vague to the definite, and while primitive tribes may estimate land very roughly by units[2] which have no precise areal value, agriculturists in a highly civilised society desire to have an accurate metric system.

Metric systems.

Natural units.

This was however a very difficult problem; it is hard enough to define the measures in common use so that if they

[1] K. Marx, *Das Kapital*, pp. 83—93.

[2] Compare Achenbach, *Haubergs Genossenschaften des Siegerlandes*, pp. 8, 9. If the *hide* meant originally land for a family, it had probably reference to possible produce rather than to actual area.

were all destroyed it would be possible to reproduce them[1], and it must have been still harder to find convenient units which it was natural to adopt, and to settle on the method of multiplying and dividing which gave a suitable system. If we could ascribe its original purpose to each kind of measurement, we should see what *units* it is *natural* to adopt, and understand how similar units are found in many different and unconnected regions; on the other hand the *mode of counting*, by threes or tens or twelves, sometimes seems to discriminate from one another some of the distinct tribes or races which inhabited various parts of England at different times. B.C. 55—A.D. 1066. *Modes of computation.*

Short units of length. A whole series of units which have proved convenient for measuring cloth and other fabrics are derived from the hand and arm; the nail, the finger, the hand, the ell, and the yard can all be got in this way; the fathom is the distance given from tip to tip when the arms are fully stretched out. That the human frame varies and that these units were still in want of precise definition, both in themselves and in relation to one another, is of course clear enough; but the fact remains that the original units of measurement were given by the division of this limb. On the other hand the primitive definition of these measures was given in terms of a natural object—three barley corns, one inch[2]. *Nail, finger, hand, ell, yard fathom.*

Another series, which are perhaps more used in outdoor or building operations, are given by the lower limbs, such as the foot, and the pace. *Foot, pace.*

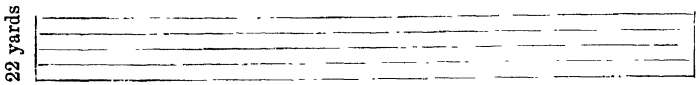
Units of area. The measurement of areas of land naturally bore a close relation to tillage, and the unit is the acre. This was, roughly speaking, the amount of land which could be ploughed in a day; and would of course vary with the character of the soil and the strength of the team—not to mention the length of the day; but somewhat similar areas came to be precisely defined for each locality by the manner in which the ploughman set out his work. He ploughed an *Acre.*

[1] Jevons, *Principles of Science*, I. 357.

[2] "Which rule is not at all tymes true, For the lengthe of a barlye corne of some tyllage is lenger, and of some tyllage is shorter." R. de Benese, *Boke of Measurynge Land* (1537).

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oblong space, ten times as long as it was broad; the most common acre was 22 yards across, and the furrow was 220 yards long; the breadth was laid out by taking four falls of a *rod* which measured 5½ yards; and thus the acre was divided into *roods*.



220 yards or 4 roods or 66 feet

But though this acre was the commonest, there were (and are) an immense number of local acres, defined by the length of the rod with which they were laid out. In a thirteenth century treatise[1] on estate management, rods of 16, 18, 20, 22 and 24 feet are mentioned, and the acres approximately corresponding to some of these still survive in Cheshire[2], Ireland and Jersey. The acre in one place is not the same as the acre in another; but the acre of each estate was a perfectly definite area of soil to be ploughed. The normal acre of 220 yards long by 22 wide was divided into four quarters or roods, each of which was 220 yards long and a rod (5½ yards) wide.

Various rods and acres.

Chain (acre).

Units of distance derived from measures of area. The whole acre was sixty-six feet wide, and could be ploughed into 72 furrows; so that the day's work of the men in ploughing an acre involved traversing a distance of 72 furlongs, or nine miles[3]. Hence from this statute acre we can derive several units of distance; the breadth of the acre, 22 yards, gives us Gunter's Chain, and the term *acre*, as a linear measure, was sometimes employed in this sense[4]; the length of the acre gives us the furrow long or furlong of 220 yards. The term most commonly used for long distances in *Domesday* is the league[5];

Furlong.

League.

[1] The anonymous *Husbandry* in E. Lamond's *Walter of Henley*, pp. xli, 68.

[2] The peculiarities of the Cheshire acre are discussed very fully by Mr A. N. Palmer in his *History of Ancient Tenures in the Marches of Wales*, p. 15 and 19 n. It appears to be derived from an entirely different system of working the land and to be based on a square rood.

[3] Walter of Henley, *Husbandry*, p. 8.

[4] Eyton, *Key to Domesday, Dorset*, 27.

[5] O. C. Pell in *Domesday Studies*, I. 271. Even if it was not laid out in this

it consisted of *twelve furlongs* (one mile and a half) and the day's work of the team in ploughing consisted of six leagues. B.C. 55—A.D. 1066

Units of capacity are probably derived from some convenient natural object, such as an egg[1], a gourd, or a shell; but the multiples of these units ordinarily correspond with measures of area; as it was desirable to make exact allowance for the quantity of corn which was given out of the granary for seed. The relation between the two is so close that in some districts an acre of land is expressed in terms of the quantity of seed required to sow it; thus we have the *firlot*-sowing[2], four of which make up the *boll* of land, a Scotch nomenclature which corresponds to the quart and gallon. On the other hand these measures of capacity are correlated with measures of weight[3]; the tun is an example of a term which applies to weight, as well as to capacity (in the case of wine), and it apparently refers to the same quantity viewed in the distinct aspects of weight and capacity[4]. Curiously enough the same term is still used in Denmark to denote a "tun sowing" of land[5], and thus to estimate area. *Measures of Seed.*

50. It has been pointed out above that the English were acquainted with the use of coinage when they landed in Britain, but it was also clear that payments in kind and barter were in vogue after the Conquest. We have evidence therefore of various *units of value* during this long period, and they were derived from the most convenient media of exchange. *Units of Value generally.*

In order that an article may serve as a medium of exchange, there is one quality it must possess—it must be an object of ordinary desire which is generally taken as payment; any commodity which is thus acceptable, either *Any acceptable commodity serves as money,*

fashion we may note that a strip of land one furlong wide by a league long, gives us 120 acres or a Domesday *hide*. The square league would be an allotment of 12 hides.

[1] *Ancient Laws of Ireland*, III., *Book of Aicill*, 335. On a curious mode of measuring corn see above, p. 47, note 1.

[2] *Statistical account of Scotland*, Wick, p. 145.

[3] Compare the *Assize of Measures* (1303), 12 ounces, one pound; 8 pounds, one gallon of wine; 8 gallons of wine, one London bushell, and 8 bushells one quarter.

[4] Barlow, *Phil. Trans.* XLI. 457.

[5] Kelly, *Cambist*, 77, 78.

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from its nature, or as in the case of inconvertible paper currency by convention, may be used to supply a unit of value. For purposes of convenience from their portability, divisibility, uniformity of quality and from the facility for testing them, coins made of the precious metals have generally superseded other objects of value as media of exchange; but they appear to have been weighed out in quantities which served to represent one of the more primitive units of value—which were apparently cattle and slaves. Among the English as elsewhere cattle and slaves would always be taken as payment, and we consequently have estimates of worth commonly made in terms of cattle, and occasionally in slaves. There was, however, much inconvenience in such currency; it might suffice for large payments but it was not divisible, and it would not be acceptable to the merchant who travelled long distances over land or sea. The differences in the quality of different oxen rendered them an uncertain mode of payment, and there were great advantages in substituting a definite amount of silver as the representative of the normal ox. As in ancient Greece and the other Mediterranean lands, the price of an ox appears from evidence drawn from a large area[1] to be the unit of value, and the *solidus* of twelve pence was regarded as the equivalent of an ox by Charles, in his dealings with the Saxons[2]. The ox also corresponded with the *mancus* in another system of computation[3], though there is no reason to believe that coins of this denomination were ever issued. The silver mancus was worth thirty pence[4] and the shilling in

but the precious metals are most convenient.

Quantities of silver which represented the value of cattle

or slaves.

The ox,

solidus A.D. 786,

mancus.

[1] Ridgeway, *Origin of Currency and Weight Standards*, 124.

[2] Illud notandum est quales debent solidi esse Saxonum: id est, bovem annoticum utrisque sexus, autumnali tempore, sicut in stabulum mittitur, pro uno solido: similiter et vernum tempus, quando de stabulo exiit; et deinceps, quantum ætatem auxerit, tantum in pretio crescat. De annona vero botrinis pro solido uno scapilos quadraginta donant et de sigule viginti. Septemtrionales autem pro solidum scapilos triginta de avena et sigule quindecim. Mel vero pro solido botrensi, sigla una et medio donant. Septemtrionales autem duos siclos de melle pro uno solido donent. Item ordeum mundum sicut et sigule pro uno solido donent. In argento duodecim denarios solidum faciant. Et in aliis speciebus ad istum pretium omnem æstimationem compositionis sunt. *Capitulare Saxonicum*, 11. Migne, XCVII. 202. Pertz, *Mon. Germ.* III. 76.

[3] *Dunsetas*, Thorpe, I. 357, see also 23.

[4] Ælfric, *Grammar* (Somner, p. 52).

this system contained five pence. Again in the *Brehon Laws* the cow appears as corresponding to the *ounce*; so that we have three distinct systems in which the unit appears to be based on the value of cattle[1]. B.C. 55—A.D. 1066. *Ounce.*

Similarly the pound may possibly have been selected as a unit because it was the silver equivalent of the worth of a man[2]; though such a phrase as 'half a pound of pennies[3]' would seem to show that it was not a natural unit of value, but a measure of weight applied to making large payments of money. In any case, and as a warning against possible confusion, it is necessary to note that several distinct modes of computation for money appear to have been in vogue before the Conquest. Thus we have the pound divided into (*a*) twelve ounces of twenty-pence each[4], (*b*) twenty shillings of twelve-pence each[5], (*c*) forty-eight shillings of fivepence each[6], (*d*) sixteen ounces of sixteen-pence containing 30 wheat corns[7]. *The slave.* *A pound*

Hence it appears that the smaller measures of weight[8] *Small weights.*

[1] *Senchus Mor*, I. 246. Though the basis is similar in each of these cases, it does not seem to me possible to explain the relation of each system to the others by taking this as a common term. The solidus of Charlemagne was 12 penny-weights of 32 wheat corns each or 384 wheat corns: the mancus was equivalent to 30 similar pennyweights or 960 wheat corns; the Brehon ounce to 576 corns (Petrie, *Round Towers of Ireland*, 214). How similar animals should come to have such different equivalents in silver is a problem we may leave on one side, though at that early time England and Ireland may well have been quite isolated so far as cattle breeding is concerned, but the evidence is very strong that the head of cattle gave the unit in each of these systems.

[2] *Dunsetas*, 7. Thorpe, I. 357. See also *Ancient Laws of Wales*, 794, 825. According to the *Leges Wallice*, II. xvii. 30, 31 and II. xxii. 13, the price of a slave was one pound, but of one brought across the sea, a pound and a half. The slave who was brought from a distance was much less likely to escape, or even to attempt it, and was therefore a more valuable property; this principle still holds good among slave-owners. Slaves must have varied in quality, and the quotations of the prices actually paid were sometimes much lower, Turner, *Anglo-Saxons*, II. 98 (4to). On the other hand the toll on a man at Lewes (*Domesday*, I. 26 a, 1) was eight times as heavy as that on an ox. Navelle, *Cochinchine française* XIII. 302.

[3] Turner, *Anglo-Saxons*, II. 128.

[4] This is Welsh. Seebohm, *Village Community*, 204, 292.

[5] This mode applied to Tower Pound and Troy Pound, but the amounts differed, the Tower Penny is 22 grains, the Troy 24.

[6] *Alfred and Guthrum*, Thorpe, II. 481. 200 shillings of five pence make four pounds and forty pence.

[7] Pell in *Domesday Studies*, 238, refers to *Inquisitio Eliensis*, p. 38, Pampisford.

[8] Large measures of weight would be connected with the amount which could

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could be conveniently derived from weighing out small quantities of the precious metals for payment[1], and that units of weight are obtainable from units of value expressed in terms of gold or silver. The habit of paying by weight appears to have been in common use at the time of the Conquest, though payment was sometimes taken by tale, even then[2].

The relations of natural units.

51. Many of the irregularities in our metric system are due to the fact that it contains natural units of different orders, and that it consists to some extent of definitions of one unit in terms of another. The clearest instance of this is in the Calendar, where we have three distinct units of time,—the rotation of the earth, the moon's circuit and the earth's circuit; as these cannot be adjusted their relations can only be expressed in fractions. But something similar occurs in our system of measures of length where the relations of the rod, or plough unit, and the foot can only be expressed in fractions. A good illustration of a table of "moneys" which contain different natural units of value is found in the Brehon Laws[3].

Modes of computation.

In other cases where the larger measures consist of multiples and the smaller ones of divisions of a natural unit it is difficult to account for the practice of one people in counting by twelves and another by tens; some by fours and others by threes. Similar modes of counting were applied to quantities of different sorts.

In weight the ton with its twentieth part divided into quarters is a similar mode of computing to the smaller weight of the ounce divided into twenty pennies and farthings. So in measures of area; the acre consisting of four roods of forty perches each is computed in the same fashion

be carried. Definitions of three distinct *loads* occur in the *Assize of Measures*, attributed to 31 Ed. I. These are respectively (*a*) 1500 lbs. of 240 pence, (*b*) 2100 lbs. of 300 pence, and (*c*) 2100 lbs. of 210 pence. The Load of the Peak is described as much smaller than the least of these. Compare the phrase cum duobus curribus de silva, in *Domesday* I. 199 b, 1, Snellewelle: also 2 Kings v. 17.

[1] Ridgeway, *Origin of Currency and Weight Standards*, 114.

[2] See for example the case of Soham in Cambridgeshire quoted on p. 171 below, also Escelforde, *Domesday*, I. 190 a, 1.

[3] Irish Laws, *Senchus Mor*, I. 246.

as the two-field carucate of 160 acres. With this a monetary system corresponds also, as the mark of 13*s.* 4*d.* contains 160 pence[1]. Similarly the village organisation at Bampton described above[2] is arranged in sixteens, and the use of this multiple suggests an affinity with the Mercian ounce of sixteen pence, but it need not extend farther than to the mode of computation; they would naturally use the same method of multiplication for quantities of land and of money. B.C. 55—A.D. 1066.

52. *Domesday Book*, in which so many of the incidents of English life before the Conquest are preserved, also records the existence of an elaborate system of taxation which raises the question as to the unit of assessment. There had been various collections of Danegeld in pre-Norman[3] times, and the Domesday Survey avowedly followed the old precedents. *Units of assessment.*

The *hide* is the unit of assessment over the greater part of England; this word in its vague original sense referred to the land which was suitable for a family; and of course included arable land and pasturage for the cattle which worked it[4]. The quarter of the hide was a *virgate*. These terms have no direct relation to land under plough, and as a unit of assessment the hide was applied in Dorsetshire[5] to large tracts of land which may not have been cultivated *Hide.*

[1] v. yards di make a perche in London to mete lands by, and that perche is xvi fote di longe. In dyvers odur placis in this lande they mete grounde by pollis, gaddis and roddis som be of xviij foote, som of xx fote and som xxi fote in length, but of what length soo ever they be Clx perches make an akir, for as a mark conteyneth Clx pence soo every akir land conteyneth Clx perchies, and as a noble conteyneth lxxx pense so half an aker lande conteyneth lxxx perchis. *The forme and the Mesure to mete land by* (time of Ed. IV.) in Louce's *Arnold's Chronicle* (1811), p. 173.

The agreement between the two different tables was commonly used as a means of calculating the size in acres and roods of any piece of land, measured in perches. R. de Benese, *Boke of Measurynge of Lande*,

mark = acre.	40*d.* = 1 rood.
royal (10*s.*) = 3 roods.	12*d.* = 3 day works.
noble = ½ acre.	1 grote = 1 day work.
5*s.* = 1 rood and v day works.	1 p. = 1 perch.

[2] See page 39, note.

[3] Round in *Domesday Studies*, I. 79.

[4] Ambreslege. Hæc antiquitus pro iii hidis fuit liberata, sicut dicunt cartæ de ecclesia (Evesham). Sed tempore regis Edwardi fuit numerata pro xv hidis inter silvam et planum, et tres hidæ ex eis sunt liberæ. *Domesday*, I. 175 b, 2.

[5] Eyton, *Key to Domesday, Dorset*, 13.

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at all; but when applied to arable land, it seems to have had reference to an area of 120 acres[1]. Professor Maitland has made it clear from an examination of entries in Cambridgeshire, where the total estimate of a village is given, and the fractional parts are stated as well in terms of virgates and acres, that the equation 1 hide = 4 virgates = 120 acres holds good[2]. This term, which is used as a unit of rateable value, points us back to a time when shares of lands were allotted to tribesmen according to the number of the cultivators. The term which is used, both under the Confessor and the Conqueror in the Danish parts of England, for the unit of assessment is *carucate*, with its eighth the *bovate*, and this is obviously derived from the stock which was needed to work the land[3]. For the purposes of rating it apparently signified the same thing as the hide; but these fiscal terms do not give us direct light on the actual agricultural conditions of the villages to which they are applied[4].

Carucate.

The Hundred.

Other places, and especially the towns, appeared to be measured by a different unit, the *hundred*, or *half-hundred*[5]: it has been suggested with much ingenuity by Mr Round that these are really multiples of another unit which was

[1] Mr Round (*Ancient Charters*, 68) points out that land at Tillingham, which is entered in one charter as a hide and a half and ten acres, is also described as 'three holdings of 60 acres plus one of 10 acres.'

[2] *Domesday Book and Beyond*, p. 476.

[3] The usual team was eight oxen. Compare the numbers of the teams on the Peterborough estates, where eight is most common, though six is also frequent. *Liber Niger* (1125–8) in *Chronicon Petroburgense* (Camden Society), App. See also p. 163, n. 3, below. A bovate was the land suitable for the man contributing an ox. Round, *Domesday Studies*, I. 200.

[4] There has been much ingenious argument based on the supposition that the land assessed was land under crop, and that we can obtain information as to the acres under tillage and the acres of fallow from a discriminating examination of the terms of assessment (*Cambridge Ant. Soc. Comm.*, VI. 47, 72). By this method Dr Taylor attempted to distinguish places in Yorkshire where the three-field system was in vogue from those where the two-field was practised (*Domesday Studies*, I. 157). He argued that a carucate which was worked on the three-field system and had two fields under crop was assessed as two. But farther examination has shown that this view is untenable. Stevenson in *English Historical Review*, V. 142. Maitland, *Domesday Book and Beyond*, 486.

[5] The Tribal Hidage of the seventh century was made on this basis, and cases in the eleventh century seem to show places where the old basis of rating was retained. Corbett, *The Tribal Hidage* in *Transactions of Royal Hist. Soc.* XIV. 216.

primarily intended to estimate responsibility for service in the fyrd. The possessor of five hides was responsible for sending one man to the host; this is stated as the custom in Berkshire, Exeter and Malmesbury[1]. It may well be that the towns were assessed in terms of their military responsibility, which was stated in multiples of five hides[2], and that this same assessment was taken to serve for their fiscal responsibility with reference to levies of geld. The town that was rated as one hundred, would be bound to furnish twenty soldiers for the fyrd[3], and also to pay £10, £5 at Christmas and £5 at Whitsuntide[4], when the geld was levied at the usual rate of 2*s.* a hide. The term hundred is used here not to denote an area, but as a mere unit of assessment for military service and fiscal payments; though there can be no doubt that the organisation of the hundred as a territorial and judicial division was much used in connection with the revenue, and the information in regard to the rating of each manor was taken according to the oaths of the men of the hundred. B.C. 55—A.D. 1066.

The manor as the channel of payment.

There is another term in *Domesday* which might at first sight appear to be a unit of assessment; for we read that land was held *pro ii maneriis*[5]; this however, as Professor Maitland suggests[6], more probably describes the channel of payment, and has no direct bearing on the amount of payment. Manors were of most various sizes, and of very different values; but the owner of each manor, big or small, might well be responsible for the payment of the Danegeld for that estate. This too would explain part of the relation

[1] Round in *Domesday Studies*, I. 120. [2] *Ranks*. Thorpe, I. 191.

[3] Bedeford tempore regis Edwardi pro dimidio hundredo se defendebat, et modo facit in expeditione et in navibus. Terra de hac villa nunquam fuit hidata. *Domesday*, I. 209 a, 1.

[4] Very severe measures were taken with anyone who was not punctual in paying at the terms. Under Cnut persons four days in arrears with their taxes were liable to forfeit their lands, and 'wita' appears to have been a payment in lieu of forfeiture. Round, in *Domesday Studies*, I. 89.

[5] Ridmerlege. Ulmar et Ulchetel tenuerunt pro ii Maneriis et poterant ire quo volebant. *Domesday*, I. 176 a, 2.

[6] *Select Pleas, Manorial (Selden Society)*, I. xl. There is a curious entry regarding Neweton between the Ribble and the Mersey. Hujus Manerii aliam terram xv homines quos drenchs vocabant pro xv maneriis tenebant, sed hujus manerii berewichea erant, et inter omnes xxx solidos reddebant. *Domesday*, I. 269 b, 2.

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between the free tenants and the lord of the manor; if he was responsible in the first instance for their fiscal payments they would form part of the manor as a 'unit of geldability,' even if the lord had no other claims upon them, and they owed him no military service. We may thus think of the hide (or carucate) as the unit of assessment, and of the manor as the local organ, through which payments were made.

Facilities for foreign trade.

53. The fact that the English had come to require and make use of definite measures of all sorts is one of the most obvious proofs of the progress of society; they were in possession of the skill and terminology by which men are able to drive a bargain with precision. This would be of use for all the purposes of daily life, and for the internal trade at little markets, but there is other evidence which shows that there were increased facilities for foreign trade as well.

Fixed customs.

a. The improvement in this respect is partly parallel to the changes which have been noticed above, where personal duties gave place to specified obligations which were incident to the possession of property; in a somewhat similar fashion the position of the foreign trader was rendered definite and his obligations were limited and became precise as customs.

The kings at first exercised a personal protection over the few chapmen who wandered about the country, a protection which Charles the Great assured to English merchants; but they could hardly hope to obtain this favour if they came empty handed. It is thus that English traders in the present day have to secure their footing in half barbarous countries by presents and bribes; it is an immense advantage to them, as it was to early merchants here, when regular and fixed rates of tolls are substituted for these gifts. This improved practice had been partially introduced in the eleventh century, as we know the tolls which were charged at Billingsgate in the time of Æthelred[1].

[1] *Dooms of London* (*Laws of Ethelred*, IV. § 2), Thorpe, I. 300. Tolls were demanded at inland towns as well as at seaports. "Wainshilling" and "load penny" at Worcester (899) are described as dues that always go to the king and cannot therefore be remitted or assigned by an alderman (Thorpe, *Dip. Ang.* 138). But these were sometimes granted by the king, as e.g. Edgar granted (978) the market dues at Taunton to the See of Winchester (Thorpe, *Dip. Ang.* 235); or as Cnut did to Canterbury (1023): "And I give to the same monastery

b. Besides providing for the protection of the trader the Anglo-Saxon dooms also contain much legislation in regard to commercial crime. Business had to be conducted publicly[1] before witnesses, as there was no means of giving a regular receipt, and it might often have been difficult for a man to prove that he had not stolen a purchased article unless his statement was supported by testimony; hence the obligation of trading "in port." But there was danger of dishonesty in rural occupations also; horses or cattle might be stolen and hence it was necessary for men who wished to live at peace to form associations for mutual aid in the pursuit of nefarious persons. The regulations for the City of London are very interesting[2], and those of the Cambridge gild are worth noting also[3]. These were less concerned with the recovery of property than with enforcing due money penalties for manslaughter and personal injuries. It is most unfortunate that the ordinances of the *cnighten gild,* which existed in London in the time of Henry I.[4] and of the similar gilds in Canterbury[5] and Winchester[6], have not been preserved.

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Commercial crime.

Gilds.

for the subsistence of the same monks, the haven of Sandwich, and all the landings and dues of both sides of the stream, let own the land whoever owns it, from Pepponess to Marfleet; so that when it is full flood, and the ship is afloat, as far as a taper axe can be cast from the ship upon the land, let the ministers of Christchurch receive the dues.....And theirs shall be the ship, and the ferry over the haven, and the toll of all ships...and all that which is found on this side of the middle of the sea, and brought to Sandwich, be it a garment, be it a net, or a weapon, or iron, gold or silver, the half part shall be for the monks and the other part shall be for him who finds it" (Thorpe, *Dip. Ang.* 317). On tolls at later periods, see pp. 217, 277.

[1] *Laws of Edward*, I. Thorpe, I. 159. *Laws of Æthelstan*, 10, 12. Thorpe, I. 205. *Laws of Edgar, Supplement*, 8. Thorpe, I. 275. Special care was taken in regard to certain classes of goods, such as cattle and old clothes, where the presumption of theft was particularly strong. *Laws of Edward the Confessor*, 38. Thorpe, I. 461.

[2] *Æthelstan's Laws*, V. Thorpe, I. 229. It is at least doubtful whether these *judicia* are properly described as gild ordinances. Dr Gross (*Gilda Mercatoria*, 11) treats them as police regulations imposed from above, not framed by the members of an association or gild for themselves. In later times it was not uncommon for the rules of a craft gild made by the members to be enforced by the weight of municipal authority.

[3] Cooper's *Annals*, I. 11. The ordinances of the gilds which existed early in the eleventh century at Exeter, Woodbury and Abbotsbury show that they were primarily religious organisations for providing masses for the souls of deceased brethren.

[4] Rymer, *Fœdera*, I. 11. Compare Unwin, *Gilds of London*, 23.

[5] Kemble, *Codex Dipl.* II. 83.

[6] Liber Winton, 1 (*Domesday Book*, III. 531). See below, p. 219.

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There is some incidental and circumstantial evidence[1] which goes to show that they were really gilds of merchants[2], and they may have been the germs of the gilds merchant, which were established in so many towns in the twelfth and thirteenth centuries.

Trade policy.

c. There are also some slight indications of a trade policy: so far as exports were concerned, the chief desire was that we should not part with them too easily. It seemed a pity that valuable goods should go to foreigners except on terms that were really remunerative. The weigh[3] of wool was to be sold for 120 pence; and if any was sold at a cheaper rate, both the buyer and seller were to forfeit 46 shillings to the king[4]. In all probability wool was even then a principal article of export; it is enumerated in Henry of Huntingdon's account of the valuable products of England[5]; and the fact that the fleece was worth $\frac{2}{5}$ of the sheep[6], seems to show that wool-growing was very profitable. We shall come across many instances of similar laws protecting native products in after times[7].

Regulations.

The one surviving set of regulations for the transactions of foreign merchants is also of great interest, as it indicates a scheme of policy that was enforced for many centuries. The foreigner was only to sell wholesale[8], and he was not to interfere with the employments of native Englishmen by engaging in any work which the citizens were wont to

[1] Dr Gross, who has called attention to the passages referred to in the text, has treated the whole subject very carefully in his *Gilda Mercatoria*, pp. 19—25 and 93. He shows that the term *cnight* was commonly used as the designation of townsmen in charters, along with the Portgerefa. The connection of the London gild with Portsoken ward is also of interest.

[2] Somner, *Antiquities of Canterbury*, (Ed. Batteby) I. 179. In an exchange of land between the gild and Christchurch, the gild is described as the *cnights at Canterbury* or *ceapmann gild*.

[3] The weigh was half a sack; the sack consisted of twenty-eight (or thirty) stone of 12½ lbs. *Assize of Measures*, 31 Ed. I.

[4] *Laws of Edgar*, II. 8. Thorpe, I. 271. The setting of a fixed minimum of price for an export is worth notice at this early date; the same policy was afterwards enforced by parliament, and also by Merchant Companies. pp. 314, 416.

[5] See below, p. 196.

[6] Craik, *Pictorial History of England*, I. 265, 275.

[7] See below, pp. 308, 438, also above, p. 78, n. 4.

[8] Not less than twelve pounds of pepper or spices, and cloths of silk, wool or linen were to be sold in the piece.

do, or by taking up retail trade[1]. This interesting set of dooms is chiefly concerned with defining the liberties of the townsmen and protecting them against the abuses of royal power; but we also learn that the position of the foreign merchant was not wholly uncertain and merely dependent on the personal favour of the monarch and the protection it afforded. The Rouen merchants who brought wine had secured definite conditions for the exercise of their calling, and the Men of the Emperor had obtained a factory in London with special commercial immunities. In this case, as well as when rights over fairs and markets were granted to special proprietors, the royal control of trade came to be exercised under the form of proprietary grants, and the royal demands were rendered precise when they were expressed as specific obligations.

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Aliens.

54. The practice of exchange had gone so far, at the time of the Confessor, that it had greatly affected the structure of society. Regular intercourse would soon undermine the self-sufficiency of the separate communities: the mere fact that coinage was coming more and more into circulation shows that trade was becoming more general. The increase of trade, too, gave opportunity for more specialisation and greater division of employments. An early example of reflections on the combination of employments and its advantages is to be found in Archbishop Ælfric's *Colloquium*[2], which was written for the purpose of instructing English boys in the Latin tongue. It is a dialogue between the teacher and a number of men who were engaged in work of different kinds. It gives us a vivid picture of the day's work of the ploughman and his boy, with all he had to do, as well as the duties of the oxherd, who tended the cattle at night in the pasture. We read also of the king's hunter, who took game with nets and also hunted with dogs; he was provided with food and clothing and a horse by his royal master. There was a fisherman, too, who fished in the rivers and found a good market in the towns, but who rarely went on the sea and was too timorous to try to catch a whale. There was a hawker, as well as a merchant,

Trade and the division of employments.

Before A.D. 1051.

[1] *Laws of Edward the Confessor, Libertas Civitatum*, Thorpe, I. 464.

[2] Thorpe, *Analecta Anglo-Saxonica*, p. 101.

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who boasted that he was of service to the king, and the alderman, and the wealthy, and all the people, for he went in his ship, with his goods, and bought precious things[1] which were not native to England, and brought them across, despite the perils of the deep and the risks of shipwreck. And when he brought them he tried to sell them for more here than he paid there, so that he might have some gain and support his wife and son. The salt maker, the baker, and the cook follow; a group of artisans is next introduced, and the question is propounded, Which is the best of crafts? The reply is tillage, since the ploughman feeds us all. But the smith objects that he is more necessary, since he supplies the ploughshare, and the coulter, and goad, and indeed the implements for every craft. The wright puts in his claims to preeminence, and the discussion is closed by the wise man, who repeats his view, as to the primary importance of tillage, while he exhorts them all to be diligent in their respective callings. In this interesting picture of eleventh century society we see that there were such facilities for exchange that the division of employments could be carried out to some extent, while at the same time the inter-connection of these employments and the necessity of their harmonious working for the common good are clearly recognised.

We have also an interesting statement, from pre-Norman times, of the end which all these various callings seemed to subserve. King Alfred has left on record his views of national prosperity and of the means by which the king should strive to attain it. The passage is introduced in his translation of *Boethius*[2]. "When Wisdom had sung this lay, he was silent, and the mind then answered and thus said; O Reason, indeed thou knowest that covetousness, and the greatness of this earthly power, never well pleased me, nor did I very much yearn after this earthly authority. But nevertheless, I was desirous of materials for the work which I was commanded to perform; that was, that I might honourably and fitly guide and exercise the power which

[1] He imported purple, silk, gems, gold, dyed stuffs, dyes, wine, oil, ivory, latten, brass, tin, sulphur and glass.

[2] Boethius, I. c. 17 in *King Alfred's Works*, II. 452 (Jubilee ed.).

was committed to me. Moreover, thou knowest that no man can shew any skill, or exercise or control any power, without tools, and materials. That is of every craft the materials, without which man cannot exercise the craft. This then, is a king's material and his tools to reign with; that he have his land well peopled; he must have bead-men, and soldiers, and workmen. Thou knowest that without these tools no king can shew his craft. This is also his materials which he must have beside the tools; provision for the three classes. This is, then, their provision; land to inhabit, and gifts, and weapons, and meat, and ale, and clothes, and whatsoever is necessary for the three classes. He cannot without these preserve the tools, nor without the tools accomplish any of those things which he is commanded to perform. Therefore I was desirous of materials wherewith to exercise the power, that my talents and fame should not be forgotten, and concealed. For every craft and every power soon becomes old, and is passed over in silence, if it be without wisdom; for no man can accomplish any craft, without wisdom. Because whatsoever is done through folly, no one can ever reckon for craft. This is now especially to be said; that I wished to live honourably whilst I lived, and after my life to leave to the men who were after me, my memory in good works." B.C. 55—A.D. 1066.

Of King Alfred it may certainly be said that he attained the object of his noble ambition; but his whole view of state-craft, and of the duty of a king to interest himself actively in all the different sides of national life, is in itself instructive, and may help us to understand the immense influence for good and for evil, which was exercised by the crown in subsequent reigns.

II. FEUDALISM.

I. The Norman Conquest and its Effects.

A.D. 1066 —1272. *The elements of*

55. In a preceding paragraph an attempt has been made to trace the gradual change by which, both in the kingdom and the manor, personal ties developed into proprietary obligations. The whole social fabric was kept together by a number of contracts between different holders of land; the land which was commended to a powerful neighbour was secured from other aggressors by a contract; the office which was granted to a judge or a sheriff was held under terms of a contract; the gebur's tenure of land was a contract between the manorial lord and his serf, in terms of land and service. Such is the form under which these various social relationships can be described; but opportunities of revising the terms of any of these bargains rarely occurred; men were generally forced to accept a position which had been defined long before they were born and which they could do little or nothing to improve. The main desire of the trader or agriculturist was that of having a clearly defined position, as this afforded a security against the arbitrary exercise of irresponsible power. Each individual among the people had a definite status, determined by his relations to other individuals; and hence they composed, not a community, nor a tribe, still less a nation,

a feudal system.

but a feudal system in which each man took his place, not through ties of blood or loyalty, still less through citizen-

ship, but in accordance with inherited and forced, rather than free, contracts. A.D. 1066—1272.

The mere attempt to portray the characteristics of a feudal system brings into light its grave defects—defects which soon called forth antagonistic influences. Indeed the reaction was at work from such an early time that it is probably more correct to say that there was an active feudalising tendency, of which the effects still survive, than to speak of feudalism as a system,—for the system was breaking up before it was completely formed. In the times when the tendency first showed itself, there was no sufficient public protection; men had to seek security by agreement with their neighbours; there was no sufficient machinery for guarding the realm or administering justice; for national enthusiasm or public spirit, there was no place in a feudal system[1]. Such a system was necessarily only a passing stage of social progress; had the national life been permanently confined by its narrow restrictions, no great material achievements could ever have been accomplished. For growth and development imply change; the feudal contracts would have so fettered individuals as to check all energy and enterprise[2]. *Its defects.*

There can be little doubt that feudalism gave far greater securities for person and property than there had been before it arose; but it is to be noticed that, when it had once become an organised social system, the whole of its working depended to an extraordinary extent on the personal character of its head. *The king's position.*

Up till the time of Cnut there had been a gradual extension of the royal power; in the Norman reigns we see it reaching its greatest vigour; the first William checked the tendency for the great feudatories to become independent of the king, and made the relationship of each subject to the crown to be clearly felt; the *Domesday Book* with its constantly repeated "quando recepit" marks the beginning of A.D. 1017.

[1] G. W. F. Hegel, *Philosophy of History*, 385.

[2] The deleterious effects of many traditional covenants in farm leases—as to the course to be adopted, &c.—are becoming generally recognised, and are an instance, on a small scale, of the evil noted in the text.

A.D. 1066—1272. this definite assertion of royal authority over all conditions of men in the land, and of royal interest in the details of their circumstances. The king is the centre of the whole, and it is by their relationship to him that the various tenants in chief are connected together; with each the king has a definite compact—such possessions held in return for such services. Looking back on this feudal system we find that it worked so differently in different reigns that it is impossible to appraise it as good or as bad; when we see what society

A.D. 1135—1154. became at the times, such as Stephen's reign, when the authority of the king was set at nought[1] and the whole fabric fell to pieces in consequence, we are inclined to pass a judgment[2] on the tyranny of William different from that which we should pronounce if we contrasted his rule with government by a modern constitutional monarch.

Of all the cant which is current in the present day about history, none is more pernicious than that which professes to be concerned, not with kings and battles, but with the life of the people, and so discards the story of real personages and real events in order to busy itself about an abstraction. It is true indeed that in modern times the life of the people can be treated apart from the consideration of the

The king's influence. personal character of George IV. or William IV. But in the Norman reigns this was not the case; security for person and property, intercourse with other nations and commercial advance were directly connected with the personal character of the king; the life of the people was most deeply affected in every way by the strength or weakness of his disposition. It would be interesting to try to explain the reasons of this

[1] "When the traitors perceived that he was a mild man, and a soft and a good, and that he did not enforce justice, they did all wonder.....Every rich man built his castles and defended them against him, and they filled the land full of castles. They greatly oppressed the wretched people by making them work at these castles, and when the castles were finished they filled them with devils and evil men. Then they took those whom they suspected to have any goods, by night and by day, seizing both men and women, and they put them in prison for their gold and silver, and tortured them with pains unspeakable, for never were any martyrs tormented as they were." *English Chronicle*, 1137 (Bohn's Series).

[2] *English Chronicle*, 1087, see also on Henry I. "He was a good man and great was the awe of him; no man durst ill treat another in his time: he made peace for men and deer." *English Chronicle*, 1135.

change, and to show why the personality of the king which was so all important long ago is of comparatively little moment now; but it is merely idle to ignore the fact, or to try to understand the history of the Norman reigns without taking it into account. A.D. 1066—1272.

We may fully believe that feudalism was the best social system possible in England in the eleventh century; but the very fact that it was so, marks the extraordinary difference between that age and this. Nowadays the free play of individual self-interest is assumed in commercial arrangements, and this force has given the greatest possible incentive to the development of industry by inventions, and of commerce by enterprise; the main principle of much commercial legislation in this country has been that of giving free scope to this individual, self-interested activity. But for this the social system gave no scope whatever during the Norman reigns; there could be but little desire of accumulation when the ever-recurring tallages, aids and fines, were sure to empty the hoards that had been filled during several preceding years. There could be no enterprise in seeking out a new line of life, for each villain was bound to the land, and no lord would willingly part with his services; there could be no high farming while the custom of the manor and the collective ownership of the teams forced all to adopt the same system[1]. Even in trade, there was little opportunity of raising oneself, for the prices of articles of native production for which there would be much competition were regulated by authority[2]; and merchants too were subject to special risks, or to special fines for protection, as well as to heavy trading dues. If the royal authority was a key-stone for the whole social fabric, it is not less true that the condition of industry and commerce was directly affected by the royal decisions; the initiative in progress, where progress was made, lay far less with individual traders than with the king himself.

Little scope for individual enterprise in agriculture, industry or trade.

The story of the reigns of William's two sons brings into clear light the extraordinary influence which the personal *William Rufus.*

[1] On the break-up of this system see below, p. 397.

[2] At least in accordance with legal regulations; see below, p. 250.

A.D. 1066—1272. A.D. 1087—1100. A.D. 1094. A.D. 1092. character of the king exercised on the whole condition of society and on every relation of life. The Red King, with some chivalrous benevolence, yet fearing neither God nor man, made the most of every occasion for extortion which the ingenuity of Ranulf Flambard was able to devise, so as to support a body of mercenaries and to defray the cost of building great castles and defences at Chepstow, Carlisle, and elsewhere. The military obligations, to which the tenants had become liable under the Conqueror, were more stringently demanded; what was implied in the whole Domesday Survey, but never stated there, was now logically expanded and ruthlessly enforced. The feudal system of taxation was that of giving aid as occasion demanded, and the art of the crown advisers consisted in making occasions. So too each great office, supported as it was by revenues of some kind or another, was looked upon as a possession granted by the king, and for the bestowal of which he might fairly demand a relief; the public responsibilities of officers of state were unthought of, and the sacred calling of priests and bishops was ignored[1]. The worst abuses of the reign of the Red King are recorded in the charter[2], in which Henry I. specifies the evils he will seek to remedy.

Henry I. A.D. 1100—1135. In the reign of a wise administrator like Henry I. we find that all this is completely changed; it was in him to develop a well-organised and firm government, so that the people might be at peace while the king profited by their immunity from violence. The exactions of Henry were perhaps more oppressive, in a sense, than even those of Rufus, since they were more frequent; for the large occasional aids of these times were not supposed to fall upon income, but to be drawn from the accumulated hoards of several seasons.

[1] On the death of a bishop the revenues were treated as escheating to the king, of whom he held his office.

[2] "1. Sciatis me Dei misericordia et communi consilio baronum totius regni Angliæ ejusdem regni regem coronatum esse; et quia regnum oppressum erat injustis exactionibus, ego, Dei respectu et amore quem erga vos habeo, sanctam Dei ecclesiam imprimis liberam facio, ita quod nec vendam, nec ad firmam ponam, nec mortuo archiepiscopo sive episcopo sive abbate aliquid accipiam de dominico ecclesiæ vel de hominibus ejus donec successor in eam ingredietur. Et omnes malas consuetudines quibus regnum Angliæ injuste opprimebatur inde aufero; quas malas consuetudines ex parte hic pono:" &c. Stubbs, *Select Charters*, p. 100.

Yet even in spite of all this the Lion of Justice did so far maintain security for life and property as to give more favourable conditions for industry than had been known for many preceding years. It was thus that the needed initiative was taken by the king, and that trade began to thrive. If the king profited, it was because of the comparative prosperity of the people under his rule; and when the terrible anarchy of the so-called reign of Stephen was over, the same course was pursued by Henry II. A.D. 1066—1272.

Henry II. A.D. 1154—1189.

It is in the reigns of the second Henry and his sons that we see the crown attaining to its highest pitch of irresponsible power; his governing is no longer the reckless self-assertion of a tyrant like Rufus, but an unfettered sway by the head of a great social system, of which all the parts were completely subordinated to himself. This result was partly attained by the commutation of the personal knightly service, which had been expected in the preceding reigns from those who held land by military tenure, for the payment of *scutage*, with which the king could maintain a more regular army. A somewhat similar change had taken place with regard to other contributions for military purposes; it had begun when Æthelred levied *geld*, to hire mercenaries, instead of calling out the national host[1]. Each demand for Danegeld was practically based on the duty of assisting to repel an invader; and though the excuse for the levy of stipendiary Danegeld ceased under the Confessor, the people were still liable to the old obligation of assisting to defend the realm. In the first Norman reign it was levied on several occasions; and in 1084 at the treble rate of six shillings per hide; Rufus took a geld of four shillings per hide in 1096, and his successors were able to extort the tax annually. When Henry II. obtained money in lieu of knightly service, he rendered the crown more free from the recurrence of embarrassments, such as those which had prevented Harold from keeping his levies together on the south coast or had stood in William's way when he called his barons to aid him in his crusade for a kingdom.

Irresponsible power.

Scutage.

Danegeld.

The feudal system in England was in form one of

[1] On the whole subject see Round in *Domesday Studies*, I. p. 77.

A.D. 1066 —1272. contracts between the king as centre of the whole, and each of his tenants; but there was no public opinion to determine the contracts, and no public authority to see that they were truly carried out on both sides; nor did any of his successors show the same conscientiousness in trying to be fair, as is evidenced for us in the pages of William's Survey. When the tenants were able to elude the performance of their *Anarchy.* obligations, society fell into a state of anarchy; when the king was strong enough to hold his own, he was strong enough to defy resistance and to strain the obligations of the barons in his own favour—he was practically irresponsible. Thus the period of feudalism was not so stagnant as the nature of the system might have led us to expect; there was a constant change from anarchy to irresponsible monarchy, and from irresponsible monarchy to anarchy. Through the whole of this political ferment new ideas began to spread, till new social forces made themselves felt, and new institutions arose.

Norman administration. 56. The modifications, which were introduced during the Norman reigns, into the administrative system, were undoubtedly due in many cases to the influence of Norman advisers or to the experience which had been gathered in the government of that duchy. This is most clearly seen in the constitution of the Exchequer[1], and the limitations which were put on the power of the great feudatories; but there has sometimes been a tendency to exaggerate these changes and to speak as if William the Conqueror introduced the feudal system into England. A social system cannot be introduced like a new fashion from France, and it had been growing for generations in England before his time. Most A.D. 1017. important steps had been taken under Cnut. Till his reign we may trace the absorption of authority into the kingly office; from his time onward we may rather notice the leasing out of royal rights to particular individuals, and for particular districts. It was he who reorganised the national system of defence on a basis of contract, while his forest laws anticipated much of the regulation that is popularly ascribed to the Conqueror.

[1] Madox. *Exchequer*, iv. §§ 4, 5.

A.D. 1066 —1272.

Changes among the land-holders

The changes made by William of Normandy were not forced upon the country generally, but were introduced whenever the death of the tenant or his participation in any of the rebellions, including resistance to the original invasion, gave occasion for the redistribution of the soil. Such lands were then granted on the condition of military service, while the Danegeld was exacted again, and more frequently than before; the military resources of the country were thus immensely increased; but it is rather true to say that a military direction was given to the existing feudalism than that the Normans introduced the feudal system. A glance at a page of *Domesday Book* will certainly show that a very large number of landholders had been dispossessed on one pretext or other; all, except ecclesiastical corporations, who continued to hold their lands, did so because they were reinstated in them by the king; but the terms on which land was held were never arbitrarily altered. We thus get important evidence to show how far the process of feudalisation had gone before the death of the Confessor. By far the larger number of *sochemanni* in Cambridgeshire had been bound to render *avera* and *inward*, or to pay a composition; and the relation of Earl Harold to Edward is very parallel to that of Earl Alan to William.

and in the terms of tenure.

The Conqueror modified the character of English feudalism by taking steps to secure the effective control of the crown over the military resources of the land. He would have no great feudatories like the house of Godwin under Edward, or Edwin and Morcar under Harold; a strict limit was placed on the powers assigned to the most trusted favourite, and a direct relationship established between each of the numerous smaller tenants and the king himself[1]. He did not commit more than one county to the hands of any single earl, and he gave real authority to the sheriffs in each shire. The success of this policy can be best seen by comparing the histories of the kings of England and of Scotland or France. The Scottish crown never kept the great families in real subjection; but it was only by unusually persistent combinations, or at times

[1] Freeman, *Norman Conquest*, v 366.

A.D. 1066—1272. of special weakness, that the barons were able to resist or control an English king.

Commendations. That the feudal system was not brought from abroad and imposed from above becomes still clearer when we fix our eyes more closely on the evidence of the felt necessity for committing one's life and property to the protection of another; the extension of the king's 'peace' and of the jurisdiction of his officers have been noted above[1], along with other signs of this tendency; while in later days people were only too glad to buy a measure of exemption and to treat for the right to manage their own affairs. Not only was regal protection sought after; freemen commended themselves to a lord of the manor while preserving a measure of their freedom; or laymen made over their property to a monastery in order to have the advantage of the exemptions which Church lands enjoyed; this tendency was at work and gave occasion for A.D. 1290. special legislation in the reign of Edward I. A system which was the natural outcome of such deeply rooted and widely operative tendencies was certainly no foreign importation.

Changed relations with the Continent. On the other hand it is hardly possible to exaggerate the importance of the new factors that were brought into play by the close connection which now subsisted between England and the Continent. From the time when the Romans left A.D. 401—871. Britain, till the days of Alfred, England had been almost entirely isolated from the rest of the civilised world; the occasional visits of merchants and the journeys of ecclesiastics were, after all, few and far between. The energies A.D. 960. of Alfred and the reforms of Dunstan had done something to check the decay, and to enliven the stagnant energies; but England was not really recalled from its isolation till it was A.D. 1017. absorbed in the great Danish empire, and made to partake in the commerce and adventure of the Northmen. Though this life was fresh and vigorous, it was in some ways ruder than our own; and the Norman Conquest is more important than the Danish, not so much because it introduced a new and fresher element, as because it brought us in closer contact with all that was best in Christendom at the time.

[1] See above, §§ 43, 47.

Of all races in Europe the Normans were most fitted to play this part; the conquerors of Neustria had been too few to introduce many usages of their own, but they admired and appropriated the culture of the people over whom they had gone to rule. The original stock differed little from that of the Danes; the Normans, too, had been pirates and adventurers; they had, however, ceased to be mere pirates when they obtained the power in England. Still, the spirit of adventure was not dead among them; they found their way to Sicily and the Mediterranean, and they were foremost among the Crusaders. It was chiefly because England had become the possession of the Normans, that she was drawn out of her isolation to take a place among the nations and have a part in the life of Christendom.

A.D. 1066—1272. *The Normans.* A.D. 912. A.D. 1029.

Even in this matter also we may notice the importance of the personal characters of the kings and of their dynastic relationships. William the Conqueror had married Matilda of Flanders, and the first great immigration of foreign artisans was partly determined by the fact that the Flemish weavers hoped to find a protectress in the queen; Richard's ambition as a crusader, John's failure in his continental schemes and, more than all, his homage to the Pope, had no little effect in determining the course of English progress; while the spasmodic piety of the third Henry had much to do with attracting the colonies of religious men who set themselves to repair the destruction which William had made when he devastated Yorkshire. In each reign we have new foreign connections, and new foreign elements introduced. Some remained alien, like the favourites of Henry, and were at length expelled from English soil; but others were assimilated so as to become part and parcel of the English people, and to be important elements in the development of English industry and commerce.

Personal and dynastic connections

It may not be fanciful to compare the economic changes which took place at the Norman Conquest through the advent of foreign rulers to England, with those that have occurred in India under the British government. We have created an effective rule over all parts of that Empire; and the establishment of one centre of supreme administration, as a power

Analogy with Western influence in India.

A D. 1066 —1272.

which makes itself felt in every part of the land, bears some analogy to that which worked in English as compared with Continental feudalism. India has been suddenly brought in contact with Western civilisation. English arts and inventions are being introduced on every side and are transforming the character of the native workmanship and economic institutions. While the probable social and moral effects of this sudden revolution are most difficult to forecast, there can be no doubt of the extraordinary way in which the country has been opened up and its resources have been developed. English fashions and furniture are preferred by enlightened rulers; and buildings for the English officials and their native imitators are rising in every station and in many cities. All this has some analogy with the time when the Normans flocked here and the great period of church building began; there has been so much rebuilding at different times, so much destruction at others, that it is difficult for us to form any conception of the actual amount of masons' work that was accomplished under the Normans and early Plantagenets; the abbeys and cathedrals which were erected then may be counted by tens, and the parish churches by thousands. Anyone who will take a single county and look for evidences of Norman, Transitional and Early-English work may easily convince himself with his own eyes that this is no exaggeration. And as we instinctively feel that activity in the erection of new buildings is a sure sign of the prosperity of a town or village now, we may infer that an age when so many admirable stone buildings were completed, for civil and military as well as for ecclesiastical purposes, in so many different places, was on the whole a time of general prosperity.

Economic gain.

The era of church building.

Moral sentiments.

57. The foreign influence was also effective in forming new moral sentiments; the field was well prepared for their growth, for human nature could not be strictly tied down within the limits prescribed by the feudal system; and when the obligations of vassals were wrongfully strained by Rufus or later kings, who took full advantage of their irresponsibility, all that was best in human nature was set in antagonism to the social system. The force of reaction gave scope for the

religious and the adventurous spirits of the time; but both had grown to be considerable powers in continental countries, and especially in France. In that land the royal power had not hitherto made itself effectively felt; anarchy like that of Stephen's reign was the normal condition of affairs, since private war between the barons never ceased. The king's peace was not respected, and there were no royal tribunals to punish breaches of it; whatever security was gained for the husbandman and the plough, for the weak and unprotected, was gained by the struggle of the Church to maintain the peace of God[1]. In so far as the warfare of the barons was kept within limits, it was through the establishment of the truce of God on several days in each week, and many weeks in each year. In France these ecclesiastical customs declined, when, with the growth of the regal power, and other means for attaining the same ends, the need of them was no longer felt; for precisely similar reasons they had never been required in England. The religious spirit was not called on to create means for controlling the barons in our land; but it did find scope in taking a stand against the conduct of the kings. This gives an abiding interest to the career of S. Anselm; he made a protest against the practice of treating all offices as possessions held of the king on the king's terms; he felt that he had a greater responsibility than that of satisfying the king; and his struggle about the symbol of investiture was a declaration that such duties as his must be discharged with reference to right, not in mere accordance with his contract with a king.

A.D. 1066 —1272.

Repression of private warfare.

The king's peace.

The truce of God.

Religious spirit.

A.D. 1093.

Yet after all, this earnest feeling had not sufficient force to bring about any marked step in social advance; the severance of the ecclesiastical and civil courts, as well as the attempt to enforce the rules of Christian jurisprudence by clerical judges and ecclesiastical sanctions, was on the whole a failure; the effectiveness of the courts was destroyed by the intrusion of archdeacons, and the expense of appeals to Rome. There was no important social change in England itself which can be directly ascribed to the new spiritual earnestness in the English Church; for our purpose

Ecclesiastical jurisdiction.

[1] Semichon, *La paix et la trève de Dieu*, I. 36.

A.D. 1066 —1272. it may be regarded as a mere sentiment which scarcely led to any positive result, unless when, combined with other factors, it served as an additional incentive. It was also weakened by the English jealousy of foreign interference, and by the corruptions of the rulers who had most power in the matter; for the papacy, instead of rising to its opportunities, was being dragged down to the level of the secular policy of the day. Realms were treated as fiefs which the pope granted to kings on definite terms; there was no fundamental difference between the grant of Ireland to Henry II. on condition of paying Peter's pence[1], and any similar grant from a king to a lay-baron, though the precise terms of these contracts were dissimilar. But it was by the course of papal policy during the reign of king John that the distrust of the Roman court as a fountain of justice came to be most strongly felt in England. People had hoped to find that the papal policy would be based on a high standard of right, while it seemed to be shaped merely by the desire of aggrandising the Roman see and of enriching foreign ecclesiastics. Though the direct and immediate influence of the reinvigorated Church life in England was thus small, we need not forget that its indirect results were enormous; the freedom from royal caprice, which was secured to the Church and her possessions, was extended to one district after another; while the lay public opinion, which was formed partly under its guidance and partly by practical experience, was permeated throughout by Christian feeling and expressed itself in local customs and gild laws.

Papal corruption.

A.D. 1154.

Spirit of adventure. It has been already noted that in the ordinary routine of life in feudal times there was little scope for individual enterprise of any kind; and hence, from the very force of reaction, there was a ready welcome for projects which offered it an outlet. On the Continent schemes were found which gave this sentiment shape. The lofty ideal of S. Bernard, and the enthusiasm for the rescue of the Holy Sepulchre from the infidels which his eloquence aroused, fully met the longing of the barons and knights for some sphere of independent action. Whatever the horrors and the follies of the Crusades may have

A.D. 1147.

The Crusades.

[1] Rymer, *Fœdera*, I. 19.

been, they afforded a nobler outlet for human energy than had been found in the constant private warfare, which was being slowly extinguished by the Church, through the truce of God, and with the growth of royal power. The spirit of adventure and daring found a new outlet; and terrible as were the cruelties perpetrated in the name of Christianity, manly bravery was ennobled and consecrated by being devoted to a less selfish end. This was obviously the case even in Europe itself; the sense of the devotion of bodily powers to a holy purpose raised the whole tone of military life, and took a place in society in the chivalrous orders. A.D. 1066—1272.

The same spirit of adventure, which moved the nobles, showed itself as strongly in the sadder story of the multitudes of peasants[1] who set forth on a pilgrimage to the Holy Land. A.D. 1095. With no conception of the length or difficulties of the journey, with vague ideas of Old Testament plenty and New Testament glories at Jerusalem, they started by thousands,—each family in its bullock cart,—leaving all the means of industry behind; it was like the rush to the gold fields in modern times, but undertaken with far denser ignorance and under a more blinding glamour.

Effects on Commerce.

If the Crusades had had no other results than these, there would have been little need to lay stress upon them in connection with the Economic History of England. But they were of a paramount importance for the commercial development of Europe; they enabled the enterprising spirits of Western Europe to come into contact with the remains of Roman civilisation which were preserved at Byzantium, and to obtain a footing in the lucrative trade with Asiatic races. The Genoese and the Venetians assisted in the Crusades as a simple method of pushing their business connections; these cities of Italy succeeded in founding colonies in the Levant and in obtaining factories at suitable points for trade with the East. Such were the most lasting results of the Crusades; and the new commercial activity, for which they gave scope, gradually affected even the most distant parts of Christendom[2]. The fruitless adventures of the

[1] Michaud, *Crusades*, I. 59.

[2] Mr W. A. Shaw has traced the course of this commercial expansion in connection with the diffusion of gold coinage. *History of Currency*, 5.

A.D. 1066—1272. Crusaders are chiefly interesting to us because of the way in which they prepared new channels for commerce, and re-acted indirectly on social life at home.

II. Royal Revenues.

Norman Revenue. 58. The potent royal influence, to which attention has been directed above, was habitually brought to bear on industrial and commercial life in connection with the collection of revenue. The great surveys, which give us the fullest information about the condition of society, were due to a desire to estimate the yield which might be expected from the chief sources of taxation; and many of the steps, which opened up the way for future progress, were taken with the view of simplifying the collection of dues or of drawing on new sources for obtaining a revenue.

Domain i. The royal domain was the chief source of regular royal revenue; in these reigns it was partly in forest, but a very large amount was used for agriculture and yielded large rents (*gafol* or *gablum*)[1], so that the king was able to 'live of his own,' and defray all the ordinary expenses of state out of the crown estates. The revenue was drawn from the whole of England, and a portion of it was paid in kind till the time of Henry I.[2]. Indeed at a later date the constant journeys of Henry II.[3], whatever may have been their object, would at all events be facilitated by the store of provisions which the king could count on at his various estates; he was not indeed, as we shall see below, forced to rely on this expedient, but it may have been a help. The collection of this revenue was in the hands of the shire-reeve; William the Conqueror "sold out his lands as dear as dearest he might, and then some other man came and bid more than the first, and the king granted them to him who offered the larger sum; then came a third and bid yet more, and the king made over the lands to

farmed by the sheriffs.

[1] Round in *Domesday Studies*, 132.

[2] *Dialogus de Scaccario*, I. vii. Compare the *census* of Edward of Salisbury, Sheriff of Wiltshire. *D. B.* 69 a, 1. The business of a mill at Arundel is reckoned in corn, in the *Pipe Roll*, 31 Henry I. p. 42; see also the dairy in the New Forest which supplied cheese, p. 39.

[3] Eyton, *Court of Henry II.*

him who offered most of all; and he cared not how iniquitously his sheriffs extorted money from the miserable people, nor how many unlawful things they did[1]." A.D. 1066—1272.

ii. The profits which arose in connection with the exercise of royal jurisdiction were another source of regular income. Murders and other infractions of the king's peace rendered the district liable to a heavy payment; and the following up of accusations, without too strict regard to the weight of the charge, was a method which William appears to have employed for obtaining funds for his campaign in 1086[2]. *Jurisdiction.*

iii. The third source of regular income lay in the king's rights over his subjects and their property,—such as are acknowledged in the primitive gifts offered to a chief[3]. The king's claims were paramount and therefore he had the prerogative of pre-emption when the goods of the subject were needed for his use. On their frequent journeys the kings employed purveyors, who provided the necessary supplies. This right of forced purchase of the goods of subjects, who had no sufficient means of recovering payment from the royal purveyors, must have given rise to great oppression. We cannot wonder at the frequent complaints of their exorbitant demands, and should not underrate the importance of the heavy burdens of *hospitium*[4] and *avera* and *inward*[5] which fell on all land not specially exempted. The same right of pre-emption when exercised on wares intended for sale, or right of *prise*, seems to have been the foundation of all the tolls which were charged at ports or fairs or markets on imported or exported goods[6]; these were originally levied in kind, and this practice survived in the *prisage*[7] of wine and in special cases connected with wool; but it was gradually commuted for payments in money, *Pre-emption.* *Prise.*

[1] *English Chronicle*, 1087 (Bohn).

[2] *English Chronicle*, 1086.

[3] Stubbs, *Constitutional History*, I. 380.

[4] The precise meaning of *firma unius noctis*, which is constantly mentioned as the amount due for *hospitium*, is not clear. Archdeacon Hale calculates that as a matter of fact the court consumed 150*l.* in Oxfordshire in three nights. *Domesday of S. Paul*, p. xl. On the payment of food rents to the crown and great abbeys compare Vinogradoff, *Villainage in England*, 302. 02.

[5] Wainage and attendance on the sheriff.

[6] Hall, *Customs*, I. 62.

[7] Right to one or more casks in each vessel.

A.D. 1066 —1272.

or was at any rate defined as a fixed quantity—as a tun before and one abaft the mast[1]. At the time when Edward I. came to the throne, the royal officers were no longer able to mulct the dealers at discretion.

iv. Besides these regular sources of income, other payments were made on special occasions, and these may be conveniently included under the head of feudal incidents. After the Conquest the feudal relation was not perhaps more real, but it certainly was more explicit than before, and it could therefore be taken advantage of for purposes of taxation with greater ease. For each five hides of the large quantity of land held by what had come to be military tenure, the demand might be made of a knight's service for forty days in the year; and this was required, not only for defensive purposes, but for foreign wars as well. Occasional aids (*auxilia*) were also asked for the knighting of the king's eldest son, the marrying of his eldest daughter, or the ransoming of his person.

Feudal incidents.

Aids.

v. There was one source of income which must not be overlooked, more especially as it is not heard of before the Conquest. The Jews appear to have been introduced into England in the eleventh century, and they lived as mere chattels enjoying the king's protection, but subject to constant exactions from him; they had no status of their own, but continued to exist as a part of the king's possessions themselves, and all that they had was not their own but his. In this lay their security from popular violence[2]; but it was a security for which they had to pay dearly[3]. Their transactions were all registered in the Exchequer; debts due to

The Jews.

[1] Hall, *Customs*, II. 96.

[2] "Letters patent tested the 3rd of April, were issued, setting forth the injuries the Jews had lately received in the disturbances throughout England, and commanding the bailiffs and good men of Cambridge to make public proclamation throughout the town, that no one under peril of life and members should damage, molest or aggrieve the Jews, their lands, property, houses, possessions and goods, both within the town and without as much as they could." Cooper, *Annals of Cambridge*, 1266.

[3] By a writ tested the 14th of May the king constituted Isaac the son of Samuel, and other Jews, together with the sheriff of the county, commissioners for distraining the Jews of the town of Cambridge for the proportion of a tallage of 20,000 marks; and a writ of assistance of concurrent date was directed to the sheriff. The commissioners had power to seize the wives and children of the parties charged with this tallage. Ibid. 1211.

them were really due to the king; and they might not accept compositions for payment, or grant a secret release[1]. As a matter of fact therefore, the king had, indirectly, a monopoly of the money-lending in the country; so that the expulsion of the Jews by Edward I. was a permanent loss of revenue to the crown. The Jews gained usurious interest; the king by general fines, by fines for law proceedings, or by punishments for crimes,—even without proceeding to the grosser extortions which were practised by John,—replenished his own treasury out of the gains of men whose lives and property were in his absolute control, and whom he could mortgage, like other possessions, if it suited his purpose[2]. A.D. 1066—1272. A.D. 1290.

vi. From these sources of revenue payments were made to the king as a great landowner, or by men who stood in definite personal relations to him; the contributions for public purposes were of a different character. The one which William found partially organised when he came to the throne was the Danegeld. First imposed in Æthelred's time, Edward had continued to collect it, but some land was entirely exempt, and other estates were very favourably rated. William took it at a treble rate in 1084 (6*s.* instead of 2*s.* per hide[3]); and though in the time of the first Norman king these were occasional not annual payments[4], they were regularly exacted by Stephen[5]; subsequently, the name fell into disuse[6], but the crown continued to receive payments as *carucage*[7] and as the ferm of the towns[8]. *Danegeld.*

[1] Compare Madox's chapter on Judaism. *Exchequer*, c. VII. Also the admirable work of Mr J. Jacobs, *Jews of Angevin England.*

[2] On the social position of the Jews see below, p. 200.

[3] *Domesday Studies*, 82, 97.

[4] *Dialogus de Scaccario*, I. xi.

[5] Madox, *Exchequer*, XVII. 1.

[6] Stubbs, *Constitutional History*, I. 582.

[7] Payment per plough-land.

[8] Ferm means rent (Madox, *Firma Burgi*, 3). Fee-Ferm or *feudi firma*, perpetual rent, paid by a man and his heirs, townsmen and their heirs, or by a corporate body (Ibid. 4). "The yearly ferme of towns arose out of certain *locata* or demised things that yielded issues or profits * *. The ordinary issues of towns were commonly in value more than sufficient to make up the yearly ferme. But if perchance those issues fell short * *, then the ferme was to be raised among the townsmen by collection or contribution. And they who were bound to contribute to these and such like forestations and payments were said to be *in lotto*, or *ad geldum et scottum*" (Ibid. 251). The issues of towns "consisted of diverse things according to the situation and production of the town," as rents of assize, pleas, perquisites, fairs, markets, stallage, &c.

A.D. 1066—1272. *Tallages.*

Another tax of a somewhat similar character was levied upon the towns which grew up on royal domains. This consisted of the *tallages* which were taken from the tenants on ancient domain when the king was in special need; they appear to have originated in contributions from places which were not liable to the payment of Danegeld[1], but they were afterwards used as a means of supplementing the *scutage* which was paid by the knights, and of levying something from the "freeholders and towns[2]."

Taxes on moveables. A.D. 1181.

vii. With the exception of the rights of purveyance and of taking customs, these taxes all fell upon the owners of real property. Henry II. took the important step of taxing moveables. An inquest had been held in connection with the Assize of Arms[3], in order to find out how far each citizen was able to provide himself with the armour necessary for serving in the fyrd. The contributions made in the parish churches towards the expenses of the First Crusade had been voluntary, but those who paid insufficiently for the Saladin Tithe were liable to be assessed by their neighbours on oath[4].

A.D. 1188.

The first tax on moveables therefore was of a semi-ecclesiastical character and for an expedition which had papal sanction; but it laid the foundations for a regular system which continued during the reigns of Richard, John and Henry III. There are frequent demands for fractional parts of the possessions of subjects, sometimes a thirteenth, sometimes a fifteenth, sometimes a thirtieth, sometimes a fortieth, once a fourth. These demands, however, were subject to exemptions of various kinds; arms and other possessions required for public service[5], and the necessary articles

A.D. 1225.

[1] Dowell, *History of Taxation*, I. 41. [2] Stubbs, *Constitutional History*, I. 585.
[3] Stubbs, *Select Charters*, 154. [4] Dowell, *History of Taxation*, I. 46.
[5] Rymer, *Fœdera*, I. 177. Exceptis tamen ab hac quinta decima quantum ad archiepiscopos, episcopos, abbates, priores et cæteros viros religionis, comites, barones, milites et liberos homines qui non sunt mercatores, omnimodis libris suis; et ornamentis ecclesiarum et capellarum; et equis ad equitandum; et equis carectariis et summariis, et armis omnimodis, jocalibus, vasis, utensilibus, lardariis, cellariis et fenis; et exceptis bladis ad warnisturam castrorum emptis.

Exceptis etiam ab hac quinta decima quantum ad mercatores, qui de omnibus mercandisis et mobilibus suis quintam decimam dabunt, armis ad quæ jurati sunt, et equis suis ad equitandum, et utensilibus domorum suarum, cellariis et lardariis ad victum suum.

Exceptis etiam quantum ad villanos armis ad quæ jurati sunt, et utensilibus

of attire for different classes, are excluded in some cases, A.D. 1066—1272. while in others the poor are exempt; though Edward I. in his first Parliament obtained a fifteenth when the people were A.D. 1275. assessed "inaudito more ad unguem." It is perhaps necessary to add that these taxes were rarely levied on the whole realm simultaneously. One year a *carucage* would be taken from the country generally; another a *scutage* would be levied on the knights, and *tallages* on other tenants; another there would be a grant of a fraction of moveables; but even this would not be a general tax, it would fall on some class; perhaps on the clergy, or on the religious orders[1], perhaps A.D. 1227. on the laity[2]; at all events we may see that the system A.D. 1209. of taxation consisted in making occasional demands from particular classes in turn, and not in levying equivalent shares from all simultaneously. We can easily understand that under the circumstances it was of the first importance for men to have a voice in the assessments that were made; and that it was most necessary to prove clearly who were tenants of ancient domain and liable to contributions from which others were exempt, or liable to contributions at a different rate.

Changes in the basis.

The whole taxation, with the exception of the customs, was direct, but there were continual changes in the basis of rating; first we have *hidage*[3]; then we have *carucage* on cultivated land, *scutage* on the knight's fee, and *tallages* from tenants on domain; but for these the more convenient, and also more onerous, estimates of moveables were eventually substituted. Still taxation of moveables continued for some time to be occasional and sectional; the king still lived of his own, and taxes were levied for particular emergencies and from a particular class of the community on each occasion.

The currency.

59. The royal revenue could not be properly collected unless there were coins in circulation in which it might be paid; and the business of the moneyers and organisation of the mint required frequent royal attention. The coming of the

suis, carne et pisce, et potu suo quæ non sunt ad vendendum, et fenis suis et furragio suo quæ non sunt ad vendendum.

[1] Dowell, I. 72.

[2] Dowell, I. 69.

[3] See above, p. 125.

A.D. 1066 —1272. Normans did not make any radical change in the coinage of the country[1], except perhaps by the general introduction of a shilling worth twelve-pence. The weight of the penny was still thirty-two good wheat grains, and the standard of fineness was kept up for centuries, viz. eleven ounces two pennyweights of silver fine, and eighteen pennyweights of alloy[2]. The means of coining were very rude, and there is consequently considerable variation in the size and weight of coins as they are now found, even in the best preservation; one die was wedged into a wooden block, the other held in the hand as a puncheon, and the metal stamped by repeated hammering[3].

The mint. The constitution of the mint became more definite after the reign of Stephen[4], when the royal prerogative in this matter was more strictly maintained; there was perhaps less need for minting coins at distant places, as they would circulate more easily as trade increased. From the time of Henry II. minting was confined almost entirely to London. In pre-Norman and Roman times coining was at least occasionally conducted at a large number of towns; some of them were places which have never been of much importance[5]. The business was carried on by moneyers, whose names generally appear on each coin, along with the name of the place where it was minted; but this was by no means a sufficient protection against fraud, as the frequent laws on

A.D. 1125. the subject[6] and the vigorous measures of Henry I.[7] sufficiently show. Early English laws insisted that the coining should take place in frequented places[8]—a precaution which perhaps survived in the public trial of the pyx. The fact seems to be that while there was so little intercommunication

[1] *Charter of Henry I.*, c. 5. Stubbs, *Select Charters*, 101.

[2] Ruding, *Annals of Coinage*, I. 10. [3] Ibid. I. 67.

[4] His coins are sometimes 'barbarously uncouth' in design, and were also ill-struck. (Ruding, I. 168.) On the whole the coins were better struck before the Conquest, when a collar was used, than afterwards; the Norman coins were very irregular in shape, so that it was easy to clip them without immediate detection.

[5] Ruding, op. cit. I. 142, 154. Compare a grant to the Abbot of Bury by the Confessor. Thorpe, *Dip. Ang.* p. 415.

[6] *Laws of Æthelstan*, I. 14; *Æthelred*, III. 8, 16, IV. 5, 9; *Cnut*, 8.

[7] *English Chronicle*, 1125.

[8] *Laws of Æthelstan*, I. 14; *of Æthelred*, III. 16.

between different parts of the country, there was no facility for the general introduction of coinage, unless it was minted in all sorts of places. When the court travelled through the land, any expedient which saved the cost of carrying money would be advantageous, and it was convenient for the kings to have moneyers in different localities[1]. Others too tried to claim a similar privilege; in the case of the Archbishop of Canterbury[2] and of some others it appears to have been admitted; but it was one of the royal prerogatives which the barons had grasped in Stephen's time, and which were wrested from them by Henry II.[3]. A.D. 1066 —1272.

The royal rights over coinage took another development also. The increase of foreign trade must have necessitated the presence, at every great mart, of men who were skilled in the business of exchanging the coins of one country for those of another; the great variety in circulation, even in one country, where many people claimed the right of coining, must have been considerable[4]; and when foreign merchants arrived to make purchases, it was necessary to effect an exchange of their foreign coins for the coinage of the country. This was done by the moneyers; and was, naturally enough, part of the business of the mint, as the foreign silver was recoined for use in England. But as soon as the work of the mint was concentrated in London, there came to be a class who made it their business to change coins current in one land for coins of other denominations, or perhaps of the same denomination but of other values, *Exchange.*

[1] The customs regarding moneyers at Hereford were as follows: "Septem monetarii erant ibi. Unus ex his erat monetarius episcopi. Quando moneta renovatur dabat quisque eorum xviii solidos pro cuneis recipiendis. Et ex eo die quo redibant usque ad unum mensem dabat quisque eorum regi xx solidos, et similiter habebat episcopus de suo monetario xx solidos. Quando veniebat rex in civitatem quantum volebat *denariorum* faciebant ei monetarii de argento scilicet regis. Et hi vii habebant sacam et socham suam. Moriente aliquo regis monetario habebat rex xx solidos de relevamento. Quod si moreretur non diviso censu suo, rex habebat omnem censum." *Domesday*, I. 179 a, 1. This is suggestive of a privileged association such as existed from Roman times in some of the continental towns.

[2] Perhaps this may account for the part taken by Anselm along with the king in punishing the dishonest moneyers. Freeman, *Norman Conquest*, v. 159.

[3] *Dialogus*, I. c. vii.

[4] It was specially obvious in Germany. Shaw, *History of Currency*, 25.

A.D. 1066 —1272.

current in the land where the alien merchants lived; this was a craft involving much skill, and the earnings made by exercise of it were called *cambium minutum*. It is obvious, however, that this occupation gave very great opportunities for fraud, and there was good reason that it should be in the hands of public officials[1].

The Exchequer.

60. The machinery for the collection of the revenue was carefully organised; and it is particularly interesting to note how closely the arrangements for managing the English finances approximated to the system in vogue in Normandy[2].

Dialogus de Scaccario.

Richard, bishop of London, in his *Dialogus de Scaccario*, gives a full account of the business of the Exchequer as it was organised in the time of Henry II., when it was a department of the king's court with an elaborate staff of officers.

Easter and Michaelmas were the two terms at which moneys were received; at Easter the sheriff made a payment on account, of half the sum due in the course of the year; this was credited to him, and he received a tally as voucher. At Michaelmas he had to render his accounts in due form; the business was carried on at an oblong table, which was divided into parallel columns running across it[3], each one of which was used for a different sum,—£1000, £100, £20, £1, shillings, or pence. At one side sat the treasurer, and his clerks with their rolls; at the other the marshal, calculator and sergeants, who received what was paid in by the sheriff. At one end was the chancellor and other high officials, at the other end the sheriff and his suite[4]. On the treasurer's side of the table counters[5] representing the amount due from the sheriff were laid in the columns, and on the other side the calculator ranged the results of vouchers or moneys

[1] On the official exchanges under Edward I. see below, p. 283.

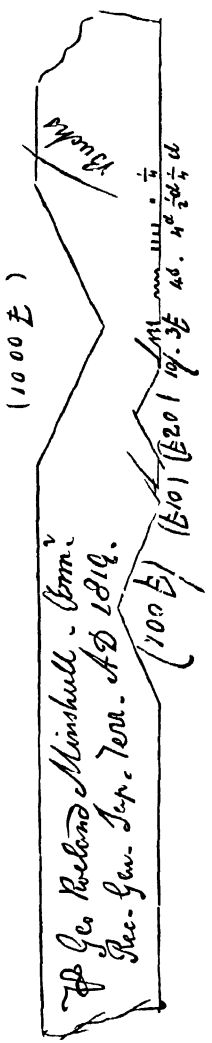
[2] Madox, *Exchequer*, IV. §§ 4, 5.

[3] The table was thus divided into parallel columns, not into squares; though it would have a checkered appearance when the counters were laid on it, there does not seem to be much reason for supposing that the cloth with which it was covered was checkered, as is commonly said in explaining the name. It is however so represented in the curious picture of the Irish Exchequer reproduced in Longman's *Edward III.*, I. 183.

[4] Mr Hubert Hall, *Pipe Roll Society*, III. Introductory, p. 41.

[5] For a full account of the Exchequer Dot System of arranging the counters to represent various sums see Mr Hubert Hall, 10 H. II. *Intro. Pipe Roll Soc.*

which the sheriff actually put in to discharge the debt. A.D. 1066 —1272. After any arrears had been gone into, the first item taken was the sum which had been paid into the Exchequer at the previous Easter, and for this a tally[1] was produced. Then followed the statement of the various sums for which the payment by the sheriff was allowed; these were fixed allowances, in alms, tithes, payments, or lands, or special



[1] The figure represents an Exchequer Tally delivered to G. R. Minshull, Esq., on payment of £1133. 14*s*. 4¾*d*. into the Exchequer for Land-Tax collected in Buckinghamshire in 1819, and is reproduced from the *Illustrated London News*, 1858. A modern example is curious as showing the survival of this method of giving a receipt; but modern tallies are more clumsy than those of Plantagenet times, which were nine inches long. The tally was a slip of hazel or other hard wood, on the edges of which notches were cut, which by their size and position indicated definite sums. The tally was then split in two lengthwise, and each of the two halves showed the same notches on its edges; one half was given to the sheriff as a receipt, while the other was retained to check his statement of account at Michaelmas. It will be seen that the notches differ greatly in breadth, and that each of the six sizes of notches corresponds to one of the columns on the table where the reckoning took place.

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allowances empowered by royal writ or other definite authority. The sheriff would then be debited with the balance, or he was credited with the surplus; in the instance given below it will be seen that he started the year with a debt of £48. 10*s.* 7*d.*, and ended with a surplus of £10.

Mode of payment.

The *Great Roll of the Pipe*, from which an extract is subjoined, puts on record the state in which each of the sheriffs, who were responsible for the ferm of the shire and other recurring sources of revenue[1], stood towards the Crown. The royal officers had not only to be careful about the accounts rendered but also to examine the money which was tendered in payment. Owing to the confusion as to coinage, it was necessary either to test the coins (*per combustionem*) that were paid by tale (*numero*), or to exact an additional sum of one-twentieth—as de-albating or blanching money—to cover all risks from this source (*blank*); and there were also two different systems of reckoning the weight, according as 6*d.* per pound was accepted to turn the scale (*ad scalam*), or according as the coins were actually weighed (*ad pensum*). It would however be a mistake to suppose that such distinctions, in regard to modes of payment, were introduced by the Normans, as we find several of them are noted in passages of *Domesday Book*[2] where the customs under the Confessor are described.

HUNTENDONESCR

PAIAN^{9} VIC̃ . redd̄ . Comp̃ . de . XLVIII . ħi. 7 . x s̄. . 7 . VII. d̄. b̄ł. de vet̄i firma de Hvntendsc̄. In th̄ . XXX . ħi. 7 . XIIII . s̄. 7 . II . d̄. b̄ł.

Et In Soltis . Rad̄ Waspail . XVII . ħi. 7 . XVI . s̄. 7 . V . d̄. b̄ł.

Et Quiet^{9} est.

ET Id̄ vic̃ . redd̄ Comp̃ . de Noua firma. In th̄ . C . 7 . LII . ħi. 7 . XII . s̄. 7 . VI . d̄. b̄ł.

Et In Elem̄ Const̄ . Militib^{9} de Templo . I . m̃. arg̃. Et Canonic̃ de Huntend̄ . XL . s̄.

[1] There was besides a series of *Receipt Rolls*, of which an example survives for 1185. It appears to contain a statement of all the sums received; and to be practically a list of tallies issued. Most of the receipts are entered in the corresponding Pipe Roll, but payments made once and for all seem to have been entered only in the Receipt Roll. Hall, *Receipt Roll of the Exchequer*, 1185, p. iv.

[2] See below, p. 172.

Et In Donis . Joscel de Haireiz . xx . s. Et In Soltis . Wiłło Cade . x . li. 7 . x . s. A.D. 1066 —1272.

Et In liḃaĩ Consł . Wiłło fit Holdegari . xxx . s. 7 . v . d. Et Alano Cornatori . xxx . s. 7 . v . d. Et PCuratori vineę . lx . s. 7 . x . d. Et In Custaño uineę . xiii . s. 7 . ii . d. Et Epo de Eli . v . s. Et In Suo Suppl^{o} . viii . s. 7 . viii . d. Et habet de Suppl^{o} . x . li. ƀł.

TELARII de Huntend reddt Comp̃ . de . xl . s. p Gilda sua.
In th̃ liḃaueŕt. Et Quieti st.

Nova Placita 7 Noue Conventiones.

Id vič . redd Comp̃ . de . x . m̃. arg̃ . de plač cancełł . 7 m^{n}dr̃. In th̃ . xxxii . s. 7 . x . d.

Et In pdoñ p bŕ . ꝶ . Epo Lincoł . xxii . s. 7 . vi . d. Et Eid . xv . s. 7 . x . d. Et Aƀƀti de Torneia . i . m̃. arg̃. Et Dñe Clementię . xii . s. 7 . vi . d. Et Walło de Lindesceia . x . s. Et Huƀto fit Ernaldi . v . s. Et Willo fr̃i ꝶ . xi . s. 7 . iiii . d. Et Coñ . Waŕ . x . s. Sūma . c . s. 7 . vi . d.
Et Quiet^{o}. est.[1]

[1] *Pipe Roll* of 4th year of Henry II. 163 (Record Commission). When extended it runs as follows.

HUNTENDONESCIRA.

Paianus Vicecomes reddit Compotum de xlviii libris et x solidis et vii denariis blancis de veteri firma de Huntendonscira. In thesauro xxx libras et xiiii solidos et ii denarios blancos.

Et in Soltis Radulpho Waspail xvii libras et xvi solidos et v denarios blancos.
Et Quietus est.

Et idem vicecomes reddit Compotum de Nova firma. In thesauro cl.ii libras et xii solidos et vi denarios blancos.

Et in Elemosynis constitutis Militibus de Templo i marcam argenti. Et Canonicis de Huntendon xl solidos.

Et in Donis Joscelin de Haireiz xx solidos. Et in Soltis Willielmo Cade x libras et x solidos.

Et in liberationibus constitutis Willielmo filio Holdegari xxx solidos et v denarios. Et Alano Cornatori xxx solidos et v denarios. Et Procuratori vineae lx solidos et x denarios. Et in Custamento vineae xiii solidos et ii denarios. Et Episcopo de Eli v solidos. Et in suo Superplus viii solidos et viii denarios. Et habet de Superplus x libras blancas.

Telarii de Huntendon reddunt Compotum de xl solidis pro Gilda sua.
In thesauro liberaverunt. Et Quieti sunt.

Idem vicecomes reddit Compotum de x marcis argenti de placitis Cancellarii et murdro. In thesauro xxxii solidos et x denarios.

Et in perdonis per Breve Regis Episcopo Lincolniensi xxii solidos et vi denarios. Et Eidem xv solidos et x denarios. Et Abbati de Torneia i marcam argenti. Et Dominae Clementiae xii solidos et vi denarios. Et Waltero de Lindeseia

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	£ s. d.	£ s. d.
Pagan the Sheriff renders account of £48. 10*s.* 7*d.* of the ferm of Huntingdon for last year . .	48 10 7	
Paid in the Treasury (blanched) .		30 14 2
And in payments to Ralf Waspail (blanched)		17 16 5
	48 10 7	48 10 7
The Sheriff himself renders account of the ferm[2] of the present year		
Paid in the Treasury (blanched) . . .		152 12 6
And in customary alms to the Knights' Templars 1 mark. To the Canons of Huntingdon 40*s.*		2 13 4*
And in gifts to Joscelin of Haireiz 20*s.* And in payment to William Cade £10. 10*s.* .		11 10 0*
And in fixed payments to William son of Holdegar, 30*s.* 5*d.* And to Alan the Hornblower, 30*s.* 5*d.* And to the Keeper of the Vineyard, 60*s.* 10*d.* For the expenses of the Vineyard, 13*s.* 2*d.* And to the Bishop of Ely, 5*s.*		6 19 10*
And on account of his surplus . . .		8[1] 8
		174 4 4
[*Less by* £1. 1*s.* 2*d.* *to blanch the payments marked* *, *at the rate of one shilling in the pound*] He has as Surplus £10 (blanched)		11 1 2
		163 3 2

:: solidos. Et Huberto filio Ernaldi v solidos. Et Willielmo fratri Regis XI solidos et IIII denarios. Et Comiti Warennae x solidos. Summa C solidi et VI denarii. Et Quietus est.

[1] This payment, on the analogy of other direct dealings between the Sheriff and the Crown, was probably in blanched money, though this is not recorded.

[2] The amount due as ferm is never stated in the Pipe Rolls (*Dialogus*, I. 5); I am informed by Mr Hubert Hall, on the authority of a list of all the ferms in England in the time of Henry III. (British Museum, *Harg. MSS.* 313), that the ferm of Huntingdonshire was £153. 3*s.* 2*d.* With this, as he has pointed out to me, the statement of account for the third year of Henry II. agrees. In that year the Sheriff paid into the treasury £82. 8*s.* 9*d.* (blanched), and expended on behalf of the king £11. 19*s.* 4*d.*, which when blanched by taking off $\frac{1}{20}$ (or 12 shillings) gives £11. 7*s.* 4*d.*; the total

The weavers of Huntingdon render account of 40*s.* for their own gild	2 0 0	
Paid in the Treasury . . .		2 0 0
	2 0 0	2 0 0
The Sheriff himself renders account of 10 marks of silver for Chancellor's Pleas and for murder .	6 13 4	
Paid in the Treasury . . .		1 12 10
Remitted by Royal Writ to the Bishop of Lincoln, 22*s.* 6*d.* And to the same, 15*s.* 10*d.* And to the Abbot of Thorney, 1 mark of silver. And to Lady Clemence, 12*s.* 6*d.* And to Walter of Lindsey, 10*s.* And to Hubert son of Ernald, 5*s.* And to William the king's brother, 11*s.* 4*d.* And to Earl Warenne, 10*s.* Total £5. 0*s.* 6*d.*		5 0 6
	6 13 4	6 13 4

The extract brings out the responsibilities of the Sheriff in regard to the ferm of the shire, and indicates the additional complications in rendering account, which were due to the state of the currency. It also serves to illustrate the manner in which other matters were passed through the accounts, such as the value due from usurpations, and escheats to the Crown, the tallage from Royal Domain, including all lands of ancient domain, as well as fines for murder or other breaches of the king's peace.

payment was £93. 16*s.* 1*d.* He was allowed to transfer the surplus of £10. 16*s.* 6*d.*, which he had on his Surrey account (this is stated under Surrey, p. 94, but is not alluded to in the Huntingdonshire accounts); this with the debt of £48. 10*s.* 7*d.* (blanched) still owing, makes up the ferm of £153. 3*s.* 2*d.*

In the fourth year, as given above, there is a discrepancy of £10 for which I am unable to account; it does not appear to have been transferred to either of the other counties, for the revenue of which Pagan was responsible. It certainly seems as if the Sheriff ought to have been credited with a surplus of £20. That there has been some confusion in the matter is probable from the appearance of the roll; the parchment shows that there have been erasures where the £152 paid by the Sheriff into the treasury is entered, and also where the superplus of £10 is entered. These corrections are clearly written in blacker ink than the rest of the account; the payment of £10. 10*s.* (£10 blank) to William Cade appears to be an addition, and it is written with the same ink as was used for the corrections.

III. Royal Inquisitions.

A.D. 1066 —1272.

Estimate of resources.

61. When William of Normandy had succeeded in possessing himself of the English crown, and in settling his followers on the lands of those who had resisted him, or who had perished in the struggle, it became a matter of importance that he should be accurately informed about the resources on which he could count in this new dominion[1]. He wished to know the condition of the royal estates which yielded him an annual revenue (*gafol, census*), as well as the wealth of the whole land from which he could levy the Danegeld[2]. With this object he sent commissioners through the length and breadth of the kingdom with instructions to take the sworn testimony of the sheriff, barons and freemen in each hundred (as well as of the priest, reeve, and six villains of each village) in regard to the various points of enquiry. Of the actual returns which were thus collected, one specimen has survived in its original form. The *Inquisitio Cantabrigiensis*[3] gives us the names of the jurors in each hundred and it contains the lands arranged territorially, as they were visited. The scribes at Winchester, when they compiled the actual *Domesday Book*, rearranged the information and grouped the lands according to the proprietors, who were ranged by their status from the king downwards. It appears that the commissioners reported on some details which were not regarded as sufficiently important to be embodied in the completed work. On the other hand it also appears that the sets of commissioners did their work in slightly different fashion, and that the compiling clerks were not always equally strict; for a vast mass of interesting

Gafol.

Geld. A.D. 1085.

Mode of Inquisition.

[1] Cunningham, *Alien Immigrants*, 52.

[2] The royal lands rendered (*reddit*) certain payments either in coin or kind, while the estimated value of other estates (*valet*) is also given. In the entries of the royal land between the Ribble and Mersey there is a good case. Omnis hæc terra geldabilis et xv maneria nihil reddebant nisi geldum regis Edwardi. Hoc manerium Derbei cum his supradictis hidis reddebat regi Edwardo de firma xxvi libras et duos solidos. Et his iii hidæ erant liberæ, quarum censum perdonavit teinis qui eas tenebant. *Domesday*, I. 269 b, 1. Here was royal land which paid the Danegeld, but from which the king did not receive any rent. The tenants were however obliged to do the necessary repairs on the manorial buildings.

[3] Edited by N. E. S. Hamilton.

detail has been preserved to us in the parts of *Domesday* which deal with Norfolk, Suffolk, and Essex. These Eastern Counties were assessed on an intricate system, which was quite different from that prevailing in the rest of England[1]; its difficulties have been successfully unravelled by Mr Corbett's careful investigation. An enumeration of horses, pigs, sheep and goats is also retained for a great part of the West of England in the document known as the *Exon Domesday*[2], though many of these details were omitted when the Exchequer copy was compiled. Accurate statements, which are invaluable, have been preserved in regard to the size of holdings in Middlesex, and in Middlesex only. Despite these minor variations, the entries are on the whole of a similar type, and the ordinary characters of an English estate are revealed to us in the articles of enquiry; when these have been examined and we have taken one typical example of the information returned, we may go on to see what additional light can be obtained from the more detailed entries, which occur here and there. A.D. 1066—1272.

62. The articles of enquiry are given in the transcript which the Ely monks preserved of those parts of the *Cambridgeshire Inquisition* which described their own lands. The commissioners were to note first the name of the manor, who held it in the time of King Edward (*T. R. E.*), and who held it at the time of the enquiry (*modo*). Next they were to report the rateable value of the estate (*quot hidæ*), and how it was stocked with teams (*carucæ*)[3] which were dis- *Articles of enquiry.*

[1] Instead of assessing each vill according to the number of *hides*, every hundred was regarded as responsible for the payment of £1; and the share of each village is given by stating the number of pence it would contribute to make up £1 for the whole hundred. The method of apportioning the payment is complicated; each hundred was divided into leets, sometimes six, seven, ten or eleven in number, and each leet paid an approximately equal share, though the contributions from different villages might differ considerably. The whole is an interesting study in the eleventh century method of dealing with fractions. On the whole subject compare Mr Corbett's *Danegeld in East Anglia* in the *Cambridge Historical Essays*.

[2] *D. B.* IV. 1. It also contains special information about the allowances made to the collectors of the Danegeld.

[3] One of the most common confusions in regard to *Domesday Book* has arisen from the fact that the same contraction car̄ is used for *carucata* and *caruca*. *Carucata* occurs in certain counties as the unit of assessment in place of the *hida*. It is only from its position in the entry that the meaning of this contraction can

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tinguished into the lord's teams (*quot in dominio*) and those of the villains (*quot hominibus*), also how it was stocked with men, whether *villani*, *cotarii*, or *servi*. They were next to note the freemen attached to the manor, whether *socmen* or *liberi homines*[1]; and then to make mention of the resources of the waste, and the meadow; what wood there was and what fisheries, as well as the mills. The value of the whole estate, with any depreciation or improvement, was to be given, as well as that of the holdings of the free men; and this was to be stated for the time before the Conquest, the time when the land was granted (*quando Rex Willielmus dedit, quando recepit*), and the time of the enquiry. They were also to see whether it could be estimated at a higher rate than had been the case before. We may look a little more closely at each point in turn.

Assessment.

Attention has been already directed to the meaning of the term *hida* in the Survey; it no longer gives a rough mode of estimating land, but a unit for expressing the rateable value at which the land was assessed for the Danegeld[2] (*se defendebat pro, geldabat, in geldo*). From this some places had been excused[3], while in other cases the owner was rated

be determined with certainty. The first car̃ in any entry in these counties is probably a contraction for *carucata* and answers the question *quot hidæ?* the second and subsequent entries are probably contractions for *carucæ*, and describe the stock on the land. This is quite clear in some of the Yorkshire entries where the two words are written out in full. In Picheringa sunt ad geldum xxxvii carucatæ terræ quas possunt arrare xx carucæ. *Domesday*, I. 299 a, 2. In the *Burton Chartulary* the nomenclature is less confusing. Terra se defendit pro una carucata. In hac terra sunt xvi bovatae, ex hiis sint vii in dominio et satis ad unum aratrum fortissimum (p. 23).

[1] This order is not carefully preserved; in Worcestershire the priest and the radman appear to be enumerated first among the human beings on the estate, though they did not render predial services; and the former tenant and the terms of his tenure come at the beginning of the entry. In dominio sunt ii carucæ et presbyter et propositus et unus radchenistre et xii villani et vii bordarii. Inter omnes habent xiiii carucas. Inter servos et ancillas sunt vii. *Domesday*, I. 174 a, 2.

[2] On the artificial character of the assessment and difficulty of readjusting it, compare Vinogradoff, *Villainage in England*, 244.

[3] Nadford. Hæc terra non geldat nec pergit ad hundredum, *Domesday Book*, I. 175 a, 1. Bixa. Hæ duæ terræ nec geldum nec aliud servitium reddiderunt regi, I. 160 b, 1. Cauna. Nunquam geldavit, ideo nescitur quot hidæ sunt ibi, I. 64 b, 2, also (next entry) nunquam hidata fuit. Frome. Nec scitur quot hidæ sunt ibi, I. 86 b, 1. Round in *Domesday Studies*, 109, points out that the carucates of land, in counties where the hide is the unit of assessment, were not taxed, also that the lands designated 'inland' were free from Geld; compare Appleby

on specially favourable terms (*beneficial hidation*)[1]. On the whole the number of hides at which an estate was rated corresponds closely with the greatest number of pounds which the estate was worth annually. A.D. 1066 —1272.

Cultivation.

The enumeration of the teams which were required to work the land was a simple method of indicating the amount of cultivation that was carried on in any one place; and the division into domain teams and villains' teams may have been a rough indication of the mode in which the work was organised, and of the proportion of land which the lord had in his own hands. In some cases the estate was insufficiently stocked with oxen[2], as would be not unnaturally the case during the struggles consequent on the Norman invasion. This occurred not infrequently in Cambridgeshire, and a great part of Yorkshire had been so effectually harried that there was no stock remaining at all.

Stock.

Tenants.

Very much greater difficulty attaches to the entries in regard to the men on the estates; and the remarks which follow can only be regarded as a tentative explanation. From all we know of English Society there appears to have been a number of social grades, which were not however separated from each other by any impassable barrier. There were certainly many differences between the customs of one locality

(*Burton Chartulary*, p. 30). The earlier meaning of inland was simply domain land. Thorpe, I. 263, 435. This variation in the connotation of the word is a useful warning against making use too readily of earlier or later documents to determine the precise sense of Domesday terms, e.g. *Villanus*, *Liber Homo*, &c.

[1] Chipeham pro decem hidis se defendebat tempore Regis Edwardi; sed quidam vicecomes misit eas ad quinque hidas per concessionem ejusdem regis, quia firma ejus eum gravabat, et modo se defendit pro quinque hidis. *Domesday*, I. 197 a, 2. Mr Round points out (in *Domesday Studies*, I. 110) that the four counties which first came under William's rule, Surrey, Sussex, Hampshire and Berkshire, were very leniently dealt with and had their rating greatly reduced. Several good illustrations occur in the archiepiscopal land in Sussex (I. 16 b, 1). Pageham had been rated at 50 hides in the time of King Edward, but was assessed under the Conqueror at 33 only. In the same period the worth had gone up from £40 to £60; it was actually paying £80, but this was too high. While the value had gone up, the rating had gone down; so too in Tangmere and Loventine. The exceedingly low hidation in Cornwall was not apparently due to a change made by the Conqueror; the low rate had ruled there all along. Ipse comes tenet Liscarret. Merlesuain tenebat tempore Regis Edwardi et geldabat pro ii hidis. Ibi tamen sunt xii hidæ. *Domesday*, I. 121 b, 1.

[2] Hageleia, *Domesday*, I. 177 a, 2. Adhuc viii carucæ plus possunt esse. Kelham, *Domesday Book Illustrated*, 361, quotes a case where it was overstocked. Villani plus habent carucas quam arabilem terram.

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and those of another. In *Domesday Book* we have a rough system of classification which was meant to apply to the whole country; it is obvious that the special peculiarities of status which were due to the history of one county, or the differences of obligation which were perpetuated in the customs of separate manors, could not be fully recognised in this brief summary. We cannot expect to find precise statements as to the status or obligations of different tenants[1], but only a rough classification which should serve the fiscal purposes for which the enquiry was undertaken.

The manor as a fiscal unit.

Whatever the legal constitution of the manor may have been, it appears to have served the purpose of a fiscal unit[2]. The sheriff looked to the lord of the manor for the geld of his own estate and of the men who held of him; the tie with some of the free tenants was very slight, as they could apparently break it at pleasure and sell their lands without leave asked or given[3], but others could only do so on obtaining

Free tenants.

[1] An attempt was made after the Peasants' Revolt to use *Domesday Book* in this fashion, see below, p. 399, note 2.

[2] Maitland, *Selden Society, Select Pleas, Manorial*, I. xl.

[3] Though the free tenants were not astricted to the land they lived under different conditions, even in the same place (Meldrede, *Domesday*, I. 202 a, 1), in regard to the terms on which they could sell; potuit recedere sine ejus licentia, Soham, I. 195 b, 2; non potuit recedere sine licentia ejus, Haslingfelde, 194 b, 1; potuit dare vel vendere, soca vero domino remansit, Trepeslau, 197 a, 1. The fullest freedom is defined in the Worcester customs about the man who neglected the summons to service in the field. Si ita liber homo est ut habeat socam suam et sacam et cum terra sua possit ire quo voluerit, I. 172 a, 1. The exercise of proprietary rights more or less freely, appears to give the line which is drawn in *Domesday* between the free and the unfree. For *legal* purposes it was marked by the right to plead in certain courts, and by the subjection of the progeny to the lord, which was symbolised by the obligation to pay *merchet*.

The Worcestershire entries show clearly that the free tenants might be responsible for predial service. De hac terra (Longedune) tempore Regis Edwardi tenebant ix liberi homines xviii hidas et secabant uno die in pratis domini sui et faciebant servitium sic ut eis precipiebatur (I. 174 b, 1). So at Poiwic of the viii radmans habentes inter se x carucas et plures bordarios et servos cum vii carucis. Quod tenebant valebat c solidos. Ipsi radmans secabant uno die in anno in pratis domini et omne servitium quod eis jubebatur faciebant (I. 174 b, 2). At Chemesege Alricus eas tenebat etiam tempore regis Willielmi, et reddebat inde omnes consuetudines firmæ sicuti reddebant antecessores sui excepto rustico opere sicut deprecari poterat a proposito, I. 172 b, 2. So the liberi homines of Lailand between the Ribble and the Mersey like those of Salford non operabant per consuetudinem ad aulam domini neque metebant in Augusto. Tantummodo unam haiam in silva faciebant (I. 270 a, 1).

licence from the lord; still the *socman, radman* and other free tenants appear to have been free proprietors or lessees[1] whose geld was included along with that of the manorial lord, and who were in a greater or less degree under his control. Mr Seebohm has shown that there was a much larger proportion of this class in the Danish counties than in other parts of England. A.D. 1066 —1272.

Of the other tenants by far the most numerous and widely diffused class were the *villani*[2]; from the Middlesex entries it appears that their holdings differed in size, and there are only a few incidental notices of services rendered by the men[3]; at the same time, it seems not unreasonable to identify this class with the men who are described under the same name in the *extenta* of later manors; these usually held a virgate of land, which was stocked for them, and were bound to do week work, boon work and to make some occasional payments to the lord. Some Domesday *villani* had already attained the position of *gablatores*, who paid rent either in kind or coin; though the commutation of predial services for money payments does not appear to have taken place very rapidly till the fourteenth century, when money was becoming more generally available[4]. *Villani.*

[1] In some of the Worcestershire entries the terms of the tenancy are stated. Land at Pershore was rented at una firma or twenty shillings for the man's own life and that of his wife, but was then to return to the Abbey. Other land was let for four lives, and the last heir held it at the time of the Survey. Ibid. 175 a, 2.

[2] Prof. Vinogradoff has shown that considerable confusion arises if this term in *Domesday* be interpreted with the strictness that was subsequently given to it. *Villainage in England*, pp. 119, 209, 218.

[3] The services are only noted incidentally. In Bricstelmestune x villani et x bordarii cum vi carucis et arant et seminant vi acras de proprio semine. So too in Depeforde; and in Aichintune vi coliberti reddunt per annum xi solidos et ii denarios et arant et seminant de proprio semine xii acras (*Domesday*, I. 174 b, 1). Kelham quotes a similar case, *Domesday Illus.* 361. The services noted are often those of men who were considered free. Derboi. Omnes isti taini habuerunt consuetudinem reddere ii oras denariorum de unaquaque carucata terræ et faciebant per consuetudinem domos regis et quæ ibi pertinebant sic ut villani, et piscarias et in silva haias et stabilituras; et qui ad hæc non ibat quando debebat ii solidos emendabat et postea ad opus veniebat et operabatur donec perfectum erat. Unusquisque eorum uno die in Augusto mittebat messores suos secare segetes regis, I. 269 b, 2. The men of Newton in Lancashire had the same liberties as those of Derby Hundred, et plus illis ii diebus in Augusto metebant in culturis regis, I. 269 b, 2. Again at Deerhurst in Gloucestershire. De terra hujus manerii tenebant radchenistri id est liberi homines tempore regis Edwardi qui tamen omnes ad opus domini arabant et herciabant, falcabant et metebant. *Domesday*, I. 166 a, 2.

[4] T. W. Page, *End of Villainage in England*, 39, 43. See below pp. 233, 398.

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The villain may be taken as corresponding with the *gebur*, who is described in the *Rectitudines* as holding a yardland and owing similar services, in week work and boon work, to those which were exacted later from the *villanus*.

Cotarius.

In the next place we have a class of tenants which is sometimes distinguished into two sub-varieties—the *cotarius* and the *bordarius*; generally we have one or the other specified, but occasionally they both occur together[1]; they appear for the most part to have had little plots with their homesteads; but not to have had any oxen of their own[2]. We should be justified in all probability in identifying one or other of them with the *cotsetle* men-

Servi.

tioned in the *Rectitudines*. The beeherds, swineherds[3] and others enumerated in that document are apparently grouped together under the heading of *servi* in *Domesday Book*.

The omissions of Domesday.

It would be interesting if we could be sure that the enumeration of *Domesday* is complete, and that it gives an accurate statement of the able-bodied population. There is no reason, however, to believe that this is the case; in one instance where we can test it, the information furnished by *Domesday* is not exhaustive. There are only a few notices of parish priests or parish churches; yet there is every reason to believe that these ecclesiastical divisions date from a far earlier time; and no mention is made of some churches, like that of S. Benet in Cambridge, which were certainly standing. The clergy as a class are omitted from the reckoning, and we have no reason to believe that the enumeration of other classes is complete; if there was a class of 'free labourers' it is not clear under which heading they would have been included. It seems possible too that the reckoning is not so much of people as of personal responsibilities which

[1] This is the case at Staines: the enumeration there given of the size of the holdings is instructive: Ad dominium pertinent xi hidæ et ibi sunt xiii carucæ. Villani habent xi carucas. Ibi iii villani quisque dimidiam hidam et iiii villani de i hida et viii villani quisque de dimidio virgatæ et xxxvi bordarii de iii hidis et i villanus de i virgata et iiii bordarii de xl acris et x bordarii quisque v acras, et v cotarii quisque de iiii acris et viii bordarii de i virgata et iii cotarii de ix acris et xii servi et xlvi burgenses qui reddunt per annum xl solidos. *Domesday*, I. 128 a, 2.

[2] Andrews, *Old English Manor*, 173.

[3] An account of the servants at Glastonbury and their perquisites will be found in the *Liber Henrici de Soliaco*, pp. 10—17.

might be discharged by more than one human being, as it is difficult to account for the phrase 'half a villain'[1] unless by some such supposition. A.D. 1066—1272.

There is a great variety in the method of describing the waste, and in the uses to which it was put[2]; it was important to note that there was pasture enough for the teams[3], and wood for repairing the houses[4] and for making the temporary fences which kept the cattle from straying into the growing corn[5]. In some cases, as in Yorkshire, the length and breadth of the waste is given; in Cambridgeshire it is rather estimated by the pannage for swine; hawking or hunting facilities are occasionally mentioned[6]; and great stress is laid on opportunities for fishing. We also find careful note of the other resources, in particular of the mills; it is not always clear what was the power which worked them, as in the case of the mill which endangered the ships in the harbour at Dover "per magnam turbationem maris[7]." One very important industry was the manufacture of salt; the pits at Droitwich were much worked, and a large number of neighbouring proprietors had an interest in them[8]; curious details are also given in some of the Cheshire entries[9]. There is evidence that iron ore was worked at Rhyddlan in Flintshire[10] as well as in the neighbourhood of Gloucester[11]. Another set of profitable rights were those connected with markets[12], which are mentioned not infrequently. On the other hand fairs are rarely[13] specified.

The waste.

Mills.

Salt.

Iron.

Markets.

[1] *Domesday Book*, Burewelle, 192 b, 2 and Grantesete, 196 a, 1. xlii villani et dimidium; iii villani et dimidium.

[2] The Bishop of Worcester's rights at Malvern are a good instance. De hac habebat mel et venationem et quicquid exibat et insuper x solidos. Modo est in foresta. Pasnagium vero et ignem et domorum emendationem inde accipit episcopus. *Domesday*, I. 173 a, 2.

[3] Pastura ad pecuniam ville.

[4] Compare the rights in the wood of Milchete in Wiltshire; quater xx caretedes lignorum et ad domos et ad sepes quod opus est. *Domesday*, I. 68 a, 1 and 2.

[5] Nemus ad sepes reficiendas.

[6] Sutona. Harum viginti hidarum omnes silvas habet comes in foresta sua positas. Unde maneria sunt multum pejorata. Haec foresta habet x leugas longitudine et iii leugas latitudine. Ibi sunt quatuor airæ accipitrum. *Domesday*, I. 268 b.

[7] *Domesday*, I. 1 a, 1.

[8] *Domesday*, I. 172 a, 2.

[9] *Domesday*, I. 268 a, 1 and 2.

[10] *Domesday*, I. 269 a, 1.

[11] *Domesday*, I. 162 a, 1.

[12] Frome, *Domesday*, I. 86 b, 1.

[13] Aspella in Suffolk, *Domesday*, II. 418.

A.D. 1066 —1272. *Values, and their variations.*

The last point noted in each entry is a statement of the sum of all these separate items; this is given by simply noting the annual value of the whole estate in terms of money for three distinct periods. We can thus see fairly well which estates had suffered most during the troubles connected with the Conquest; wherever the numbers of the tenantry had decreased, whether they paid in money or by their work, the annual value would decline. On the whole it appears that the lowest point was reached, generally speaking, at the time when the lands were granted by King William; many estates had recovered since that date, and some were in better condition than they had been in the time of the Confessor. The comparison of these annual values with the rating (*quot hidæ*) gives us the means of detecting the cases where the taxation was levied at favourable rates.

Milton

63. Leaving the articles of enquiry we may now look at one or two particular entries; they give us illustrations of the points already discussed, but we can also glean from them a great deal of interesting information as to the way in which estates had changed hands at the Conquest.

In Middeltone ten Radulf° de Picot . XII . hid . Tra . ē VII . car . In dn̄io ſunt . II . 7 aliæ . II . poſs̄ . ee . Ibi X . uiłłi cū XII . bord 7 IX . cot hn̄t . III . car . Ibi . V . ſerui . p̄tū IIII . car . Paſta ad pecun . De mareſch . ſexcent 7 L. anguiłł. 7 XII . den . In totis ualent uał . VII . lib . Q.do recep ꝫ VIII . lib . T.R.Eꝫ XII . lib[1].

"In Middleton Radolf holds twelve hides of Picot; there is land for seven teams. On the domain there are two teams, and there could be two more. Ten villains with twelve bordars and nine cottars have three teams there. Five serfs are there. There is a meadow for four teams and pasture

[1] *Domesday*, I. 201 b, 1. In Middeltone tenet Radulfus de Picoto xii hidas. Terra est vii carucis. In dominio sunt duæ et aliæ duæ possunt esse. Ibi x villani cum xii bordariis et ix cotariis habent iii carucas. Ibi v servi. Pratum iiii carucis. Pastura ad pecuniam. De marisca del anguillæ et xii denarii. In totis valentiis valet vii lib. Quando recepit viii lib. Tempore Regis Edwardi xii lib.

for the cattle. From the marsh 650 eels and twelve pence. The whole is worth seven pounds: when he received it eight pounds; in the time of King Edward twelve pounds[1]." The entry closes with an account of the previous tenants: one had been purveyor of the royal household; he had held six hides and three virgates of the Abbey of Ely, and he was not free to sell them nor to separate them from the church; through his death the land returned to the church of S. Etheldreda of Ely; four other socmen held four hides and half a virgate under the Abbey of Ely, but they were able to sell their land. There is little here that calls for special remark; the domain at Milton was part of the Ely land, which the Abbey had got in exchange for another estate[2], but the long resistance of Hereward from his 'Camp of Refuge' had given ample excuse for confiscation, and it now belonged to Picot the Sheriff; the four socmen, who each held a hide, had also suffered in the struggle, and if they survived, they were no longer in possession; it is not probable that they had exercised their powers of selling their land. A.D. 1066—1272.

In the entries of some of the manors we get very definite statements, not only as to the value of the obligations to be discharged but as to the form of payment. In connection with the royal manor of Soham we read of seven fishermen who were bound to give fish three times a year, and the terms for settling pecuniary debts are clearly defined[3]. *Forms of payment*

[1] From the *Liber Eliensis* we gather that the price of land was about £5 a hide in the tenth and eleventh centuries: in all probability this included the stock on the land: the team of eight oxen would be worth £1. The live-stock on the waste at Milton is given in the *Inquisitio Eliensis*, and from various incidental quotations of the prices of stock (Thorpe, *Ancient Laws*, I. pp. 139, 235, 357, 582; Hale, *S. Paul's*, p. xliii) we get the value of the stock as follows:

2 oxen unemployed	5	0	
220 sheep at 5*d.*	4	11	8
24 pigs at 8*d.*		16	0
6 horses at 10*s.*	3	0	0
	£8	12	8

[2] 240 acres in exchange for 227 at Fordham. *Lib. Eliensis*, II. 31.

[3] Saham manerium regis pro ix hidis et dimidia se defendebat. Terra est xiv carucis. Ibi sunt xvi villani et xvi bordarii cum xii carucis. In dominio ii carucæ et iv servi et ii molendini xxiv solidorum. De piscaris iii milia et quingentæ anguillæ. Pratum xiiii carucis. Pastura ad pecuniam villæ. Ibi vii piscatores reddentes regi presentationem piscium ter in anno secundum quod

A.D. 1066 —1272. *by weight or by tale.*

Twenty-five pounds were to be tested and weighed; thirteen pounds and eight shillings were to be paid by tale, with an allowance of de-albating money for the defects of the coin; this payment was apparently a new composition for the petty customs on corn, malt, and honey. This last article was very greatly prized, as men had to rely almost entirely on honey and the honeycomb, both for sweetening and for lighting.

The towns.

64. Among the most interesting entries in the Survey are those which put on record some information as to the various towns. There seems to have been in each shire a *burg* or *civitas*, which was not part of the royal estate[1]; each of these towns was a curiously complex group, and quite a number of different proprietors appear to have had houses and rights in them[2]. It is difficult to see amid all the

possunt. In totis valentiis reddit per annum xxv libras arsas et pensatas et xiii libras et viii solidos et iv denarios ad numerum de albis denariis pro frumento, brasio, melle et aliis minutis consuetudinibus. Tempore Regis Edwardi reddebat xxv libras ad numerum, et per iii dies firmam de frumento, melle et brasio et de omnibus aliis. Hoc manerium habuit rex Edwardus semper in dominio. *Domesday*, I. 189 a, 2.

[1] Maitland, *Domesday Book and Beyond*, 178.

[2] In Burgo de Waruuic habet rex in dominio suo cxiii domus, et barones regis habent cxii de quibus omnibus rex habet geldum suum. Episcopus de Wirecestre habet ix masuras. Episcopus de Cestre vii. Abbas de Coventreu xxxvi et iiii sunt vastæ propter situm castelli. Episcopus constantientis i domum habet. Comes de Mellend xii masuras. Albericus comes habuit iiii quæ pertinent ad terram quam tenuit. Hugo de Grentemaisnil iiii et monachi pilardintone habent i de eo. Heinricus de Fereres habet ii. Robertus de Stradford vi. Rogerius de iuri ii. Ricardus venator i. Radulfus de Limesi ix. Abbas Malmasberie i. Willielmus bonvaslet i. Willielmus filius corbucion duas. Goisfridus de Magneville i. Goisfridus de Wirce i. Gislebertus de Gant ii. Gislebertus budi i. Nicolaus balistarius i. Stephanus stirman i. Turchil iiii. Harold ii. Osbernus filius Ricardi i. Cristina i. Luith monialis ii.

Hæ masuræ pertinent ad terras quas ipsi barones tenent extra burgum et ibi appreciatæ sunt. Præter has supradictas masuras sunt in ipso burgo xix burgenses qui habent xix masuras cum saca et soca et omnibus consuetudinibus, et ita habebant T. R. E. Tempore Regis Edwardi vicecomitatus de Waruuic cum burgo et cum regalibus Manerijs reddebat lxv libras et xxxvi sextaria mellis, aut xxiii libras et viii solidos pro omnibus quæ ad mel pertinebant.

Modo inter firmam regalium Maneriorum et placita comitatus reddit per annum cxlv libras ad pondus, et xxiii libras pro consuetudine canum, et xx solidos pro summario, et x libras pro accipitre, et c solidos reginæ pro gersūma.

Præter hoc reddunt xxiiii sextaria mellis cum majori mensura, et de Burgo vi sextaria mellis, Sextarium scilicet pro xv denariis. De his habet comes de Mellend vi sextaria et v solidos.

Consuetudo Waruuic fuit ut evente rege per terram in expeditionem, decem

diversity of separate claims wherein the unity of the group consisted; but there were at least common obligations to the Crown, definite rights in the common fields, some tradition of common custom, and the germ of burghal administration. The towns seem to have suffered more seriously than the merely rural districts during the struggle for the English Throne. It is said that the Danish elements in the population prolonged resistance more than others, and this may have accounted for some of the opposition, which developed in the north and called down such terrible vengeance; it may account too for the partial destruction of Exeter and Chester, of Lincoln and York. But the chief complaint was due to the clearances which William effected in order to obtain sites for the castles with which he finally quelled resistance. More than half the houses had been destroyed in Barnstaple, Wareham, and Dorchester; and in Cambridge, besides the smaller destruction which had taken place in other wards, 28 houses had been pulled down in one ward to build a castle. The city of Shrewsbury was in a pitiable plight; not only was much of it destroyed, but the French burgesses[1] were exempted from the payment of burgh assessments, so that the sum which was formerly defrayed by the contributions of 252 householders was now levied on a miserable remnant of 59[2].

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partial destruction;

It is also striking to notice the distribution of the more important towns; the southern coasts were evidently of chief importance. Though London is not included in the Survey we can draw on other sources for some information regarding the chief city of the kingdom; it was assessed at 1200 hides[3], and its customs have been recorded in some detail. The city of York contained 1600 houses—even Norwich and Lincoln were smaller—and Chester was the centre of

distribution,

burgenses de Waruuic pro omnibus alijs irent. Qui monitus non ibat c solidos regi emendabat.

Si vero per mare contra hostes suos ibat rex, uel iiii batsueins, uel iiii libras denariorum ei mittebant. *Domesday*, I. 238 a, 1.

[1] On the francigenæ of *Domesday* compare *Appendix E.*

[2] *Domesday*, I. 252 a, 1.

[3] *Hidagium comitatus totius Middelsexe.* The Abbey of Westminster was rated at 118 hides; the county of Middlesex at 853½ hides, and paid £85. 0*s.* 6*d.* for Danegeld, while London paid £120. British Museum, Add. MSS. 14,252, f. 127.

A.D. 1066 —1272.

a large trade which extended to the Danish settlements in Ireland and perhaps to more distant regions.

and constitution.

There was both a landed and a moneyed interest in the towns, and the townsmen, in so far as they were engaged in tillage, probably found themselves subjected to heavier burdens in the period after the Conquest[1]. The Cambridge burgesses had to lend their teams nine times a year to the sheriff—formerly three times only. The best description of the rights and duties which were enforced in a trading centre is to be found in the account of Chester[2]. The regulations for local police serve at all events to show the nature of the crimes which were most common; but there is curiously little mention of difficulties in the actual conduct of transactions, or of the security of foreign merchants.

The Hundred Rolls.

65. Besides the Domesday Survey there were other royal inquisitions which throw light upon this period. Not only are there interesting inventories[3], which were got together for assessing taxes on movables, and local enquiries like the *Liber Winton* of Henry I.[4], but by a most fortunate coincidence there was a second general enquiry, from the results of which we have a detailed record of the condition of many parts of England at the close of this period. We are thus able to get some data for estimating the growth which took place during the two centuries which elapsed between the compilation of *Domesday Book* and of the *Hundred Rolls*; while the records of ecclesiastical houses furnish us with many particulars for special places in the intervening years. The *Inquisitio Eliensis*[5] and *Exon Domesday*[6] were apparently transcribed for the sake of preserving a statement of the condition of the monastic and ecclesiastical property at the time of the Conquest. The

[1] Maitland, *Township and Burgh*, 45. The predial services at Leicester, which were a matter of complaint in 1200, may not have been older than the time of Henry I., when Robert of Needham established his power over the whole town with the exception of the Bishop's fee: Bateson, *Records of the Borough of Leicester*, I. XIV. XX. On later controversies in regard to the Lammas lands at Coventry see M. D. Harris, *Life in an Old English Town*, 206.

[2] The customs relating to foreign merchants are interesting, and they show three separate jurisdictions in one city, the king, earl, and bishop. *Domesday*, I. 262 b, 1, and 263 a, 1.

[3] *Rot. Parl.* I. 228 a.

[4] *D. B.* IV. 531.

[5] *D. B.* IV. 495. Also edited by N. E. S. Hamilton.

[6] *D. B.* IV. 1.

larger *Liber Winton*[1] was drawn up by the orders of Bishop Henry in 1148; the *Boldon Book*[2] was a survey of the rents of the church of Durham, made by Bishop Hugh in 1183. Similar investigations were carried out by Abbot Samson of Bury about 1185[3], and surveys, more or less complete in character, have survived for the lands of Burton[4], Peterborough[5] and Glastonbury[6], as well as for those of S. Paul's in London[7] and S. Mary's at Worcester[8]. The special features of these inquisitions have been discussed by Mr Hall[9]. A.D. 1066—1272.

The precise object which the first Edward had in view when the *Hundred Rolls* was compiled in 1274, was somewhat different from that of the first William in 1086, as he wished to discover the real nature and extent of the traditional rights of the crown, and to detect the malversations of royal officers. When Edward I. returned to England and assumed the reins of government, he found that the royal rights had suffered most serious encroachments and that royal lands had been appropriated, to the very severe loss of the crown[10]. He therefore appointed commissioners who were charged to enquire into the royal lands and royal rights in each shire; this survey was conducted in very much the same way as that of the Conqueror. Extracts from the inquisition then made, which have special reference to the usurpation of jurisdiction and other royal rights and possessions, exist for all the counties of England. The *Hundred Rolls* in their full shape only survive for seven counties, but they contain a most extraordinary mass of *Malversations.*

[1] *D. B.* IV. 542.

[2] *D. B.* IV. 565. Also edited by Greenwell for the Surtees Society.

[3] This enquiry is mentioned by Jocelin in his *Chronicle*, p. 21. The portion of the survey which has been preserved gave a clue to Mr Corbett as to the levying of the Danegeld in East Anglia.

[4] *Burton Chartulary* (1113), *Wm. Salt, Archæol. Soc. Collections*, v. 18.

[5] *Liber Niger* (1125—8), in *Chronicon Petroburgense* (Camden Society).

[6] *Liber Henrici de Soliaco*, edited by J. E. Jackson and published as *Inquisition of Manors of Glastonbury Abbey* (1189), (Roxburgh Club).

[7] *Domesday Radulphi de Diceto* (1181). *Registrum de visitatione maneriorum* (1222), edited by Hale for the Camden Society.

[8] *Registrum Prioratus Beatæ Mariæ Wigorniensis* (1240), edited by Hale for the Camden Society. There is also an interesting rental of Coldingham in Berwickshire (1298). *Correspondence &c. of Coldingham* (Surtees Soc.), p. lxxxv.

[9] *Formula Book*, pt. ii. 5, 22.

[10] *Annals of Winchester*, 119.

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information, very much more detailed than that which is given in *Domesday Book*; they afford us a most curious insight into the life of the time, and supply information bearing on the progress of the country since the earlier record had been compiled.

Articles of enquiry.

The articles of enquiry are elaborate; they first demand information as to what. manors the king had at the time or used to have in his own hands; there is then an enquiry as to the royal tenants in chief and as to losses by subinfeudation; then as to the free socmen on royal domain; then as to the ferm and other rents of each hundred or burgh, and of alienations; there next is an article about those who claimed to hold courts of wreckage, to have other royal rights or the assize of bread and ale; also about those who by the privileges granted to them interfered with the course of justice, and assumed or enlarged chases and warrens. Enquiries are made too as to the misdeeds of the royal officers, either in taking bribes and compounding crimes, or in fiscal exactions[1]; also in connection with the repairs of royal castles and manors, escheats to the crown and such other matters.

The articles, as given at the commencement of the printed volume, are not quite complete; there were four or five other points on which enquiries were made and one of these yielded information that is of special economic interest[2]. It had reference to the export of wool to Flanders at the time when owing to the hostile relations between the king and the Countess[3] that trade had been prohibited or only carried on by special licence[4]. In regard to each of the

Export of wool.

[1] The bailiffs of the ports in King John's time took excessive custom; in cases where merchants sold a portion of their goods to get supply of victuals, they were only to be charged customs on the goods sold and not on the whole cargo. *Black Book of Admiralty*, I. 72.

[2] Item qui durante discordia inter dominum Regem et comitissam Flandriæ fraudulenter contra inibicionem vel defensionem Domini Regis lanas duxerunt. *Rot. Hund.* II. 245.

[3] Varenbergh, *Relations diplomatiques entre Flandre et l'Angleterre*, 134, 138.

[4] Respondent et dicunt quod durante discordia inter dominum Regem Angliæ et comitissam Flandriæ quod Gregorius de Rokesle, Stephanus de Cornhull, Thomas de Basingges, Nicholas de Wynton, Wolmarus de Estchep, Petrus Cosyn, Willielmus Box, Robertus de Araz, Ricardus de Araz, Ricardus de Abbingdon, Ricardus de Evere, Alanus ad Castrum Baynard, Robertus de Basingges, Ricardus

alleged infractions of royal right, there is the reiterated question as to the warrant by which the man presumed to usurp crown property or regal privileges. A.D. 1066—1272.

The commissioners appear to have executed the task most exhaustively, and to have carried back their enquiries as to proof of title for several generations. They also put on record in many cases very detailed statements of the precise position and obligations of the tenants on different estates. The purpose of the Domesday Survey had been to make such a financial estimate as to enable the king to reckon on the revenue he might expect as *gafol*, or the sums he might levy as *geld*; but in the *Hundred Rolls* the immediate object was to investigate the legal rights of the king, and of the tenantry. The mode of procedure was similar to that which the Conqueror had adopted; it can be followed step by step in the case of Lincolnshire. First in 1274 the commissioners were empowered to make their enquiries of sworn jurors, and they appear to have completed their task within the year. From the rolls thus furnished, extracts were compiled of those matters which demanded farther information, and *quo warranto* proceedings based upon them were instituted before the Justices in Eyre[1]. In the Lincolnshire and in the Gloucestershire Rolls, a brief note is appended of the results which were finally reached. Thus it was found that Norman Percy held a carucate of land at Fulletby in Lincolnshire which was part of the honor of Horncastle, and which had been alienated as long ago as the time of Henry I. It was worth five marks annually. It was finally decided by a jury of twelve men that it was geldable

Extraordinary detail.

Quo warranto.

Digon, Morekinus le Wolmongere, Lucas de Lukes et tota sua societas, Aldebrandus de Luca et tota sua societas, Rustikeyl et tota sua societas, Denteytus et tota sua societas, Hugo Pape et tota sua societas, Jacominus de Leget et tota sua societas, Willielmus Lamy de Rothomago et multi alii tam de regno Angliæ quam de aliis regnis quorum nomina et personas penitus ignorant contra inhibicionem domini Regis fecerunt cariare lanas ultra mare set quot saccos et quos portus omnino ignorant et quo warranto similiter ignorant. *Rot. Hund.* I. 405. From other entries it appears that the wool was mostly shipped either to Calais or S. Omer (I. p. 406). Wool grown in Northamptonshire was shipped to Rouen by Southampton (II. 4). In some cases it was smuggled out, made up like parcels of cloth (I. p. 411), and in others it was packed in casks of wine (I. p. 414).

[1] *Statute of Gloucester* (1278), preamble.

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land and that the king had seisin of it[1]. The abbot of Westminster was accused of very many encroachments[2]; he had extensive privileges but he had enlarged them in an unwarrantable fashion, to the prejudice of the king and his subjects, since the time of the battle of Evesham.

Though the enquiry had a legal rather than a directly financial bearing, it preserves details which throw an immense amount of light on every side of industrial and commercial life. It is possible to get a surprisingly detailed account of a portion of the English wool trade from these pages; the persons who were engaged in it both internally and as export merchants; the rates at which business was done, the ports of shipment, and so forth. It would be comparatively easy to construct a wonderfully complete directory for certain towns, with the names of each of the householders and a summary of his title[3]; and much curious information occurs as to the dilapidation[4] of bridges, and the encroachments of building in the streets. Again in some rural districts, as in Huntingdonshire, the rights and responsibilities of the various tenants are stated in detail.

Wool trade.

Householders.

[1] *Rot. Hund.* I. 303.

[2] Dicunt quod Abbas Westmonasterii habet et clamat habere returnum et extractas brevium et tenet placita de namio vetito, levavit etiam furcas in comitatu Middlesex. Habet etiam assisam panis et cerevisiæ videlicet returnum et extractas brevium et placita de namio vetito in omnibus maneriis suis in comitatu Middlesex. Assisam panis et cerevisiæ in villa de Stanes et apud Westmonasterium. Et apud Stanes mercatum levavit, etiam apud Tyborn quasdam furcas construxit, etiam quoddam molendinum aquaticum in Thamisi in comitatu Middlesex impediens rectum cursum aque predicte in prejudicium corone domini Regis et ad maximum dampnum civitatis sue Londoni quo warento nesciunt et hiis usus est post bellum de Evesham. *Rot. Hund.* I. 422.

[3] Thirty-six closely-printed pages are devoted to details about Cambridge.

Item Lucia que fuit uxor Willielmi Toylet tenet unum messuagium in parochia Omnium Sanctorum juxta Osspitalem, quod emit de Willielmo de Sancto Edmundo, capellano, qui quidem Willielmus illud habuit de dono Roberti de Sancto Edmundo patris sui, qui quidem Robertus illud emit de Andrea de Wimpol, qui quidem Andreas illud habuit ex antiqua successione antecessorum suorum et inde reddit per annum Cancellario Universitatis Cantabrigensis iii s. et Hosspitali Sancti Johannis Cantabrigensis xii d. *Rot. Hund.* II. 390.

[4] Dicunt etiam quod cum pons Londonie fuisset multo tempore in manu civium civitatis et semper consueverint de communi assensu facere custodem ad communem proficium domini Regis et sue civitatis et omnium transeuncium, nunc est dictus pons in manu domine Regine, et nesciunt quo warento. Dicunt etiam quod idem pons est in magno periculo cadendi per defectum custodie quod est ad magnum periculum domini Regis et sue civitatis et omnes (*sic*) transeuncium. *Rot. Hund.* I. 406.

The question how far these data enable us to estimate the progress that occurred during the two centuries after the Norman Conquest, is not easy to answer. If we hope to make accurate comparisons we shall for the most part be disappointed, since we are so often baffled by the silence of *Domesday*. It cannot be doubted, however, that there was a very great growth of rural population, and a consequent increase of manorial resources[1]. The total services due increased[2] and holdings were often subdivided[3], while there was a great addition to the number of free tenants in some estates[4]. At Milton[5] there were twenty-three free tenants, twenty-nine villains, and fifteen cottars, besides the rector and his half-dozen dependents. The change is still more striking in the towns, for it is evident that they had not only increased in number but had also altered in character. Many had become centres of dealing and industry; they were filled with shops, and were not only agricultural, but industrial and commercial[6] groups. A.D. 1066—1272. *Population.*

What is most curious about some of the towns is the complicated system of government which obtained in them[7]. In occasional difficulties at Cambridge as to the respective rights of University and town, we still see something of the confusion which was caused by conflicting rights and privileges, but the case of Edinburgh affords a more curious instance of the survival of separate local jurisdictions. The burghs of Canongate[8] and Portsburgh and the bailiary of Calton maintained their independence of the city of Edinburgh till they were merged in it in 1856. The tradition of the severance between the French and English towns[9] still lingers at Nottingham, where it was perpetuated by the *Dual control.*

[1] See p. 101 above.

[2] N. Neilson, *Economic Conditions of the Manors of Ramsey*, 46, 50.

[3] Kovalevsky, *Die oek. Entwickelung Europa's*, II. 70.

[4] Page, *Die Umwandlung der Frohndienste in Geldrente*, 19. See below, p. 398.

[5] *Rot. Hund.* II. 452.

[6] This appears even in the depreciatory remarks which are put into the mouth of a French Jew; at Bristol there was no one but soapmakers, A.D. 1192. Richard of Devizes, *Chron.* § 81.

[7] In Norwich the king and earl had had sack and soc and consuetudo over 238 burgesses, Stigand over 50, and Harold over 32. *Domesday*, II. 116.

[8] *Scottish Municipal Corporations Report* (1835), Part I. p. 323.

[9] In Norwich the two distinct elements seem to have been merged in one system of municipal government in 1223 and perhaps earlier. Hudson, *Leet Jurisdiction in the City of Norwich*, xiv. xv.

A.D. 1066—1272. *Wards.*

differences in the customs of the two towns[1]. In London each single ward had its own government; and the separate reports, which the commissioners collected from each of them, show how little administrative unity there was throughout the different parts of the city. It was still a congeries of distinct wards each belonging to a distinct 'baron'; and there were conflicting privileges and competing jurisdictions in many localities.

Fairs.

After all, a great deal of the trade of the country was carried on at occasional marts rather than at permanent centres, and we find a good deal of information in the *Hundred Rolls* about various fairs. This is a matter on which *Domesday* is almost entirely silent[2], and there can be but little doubt that many fairs had been founded since that time. In Cambridge there were four annual fairs, one belonging to the Prior of Barnwell, held for four days from

A.D. 1211.

the Vigil of S. John the Baptist[3], and now surviving in Midsummer fair, for this he paid a mark of silver; another, which existed in the present century as Garlic fair, belonged

A.D. 1150.

to the Prioress and nuns of S. Rhadegund, and lasted for two days from the feast of the Assumption of the Virgin[4]; a

A.D. 1211.

third, belonging to the Master of the Lepers' Hospital[5], was held on Holy Cross Vigil and Day, and survives in Stourbridge fair[6]; the fourth belonged to the burgesses and was held on

[1] *Nottingham Records*, I. pp. 124, 168, 172, 186.

[2] This silence is not of course absolutely conclusive, nor do charters prove the date of the origin of a fair; fairs which were granted to particular persons may have existed before that time, either as mere usurpations, or in the king's own hands. So far as *Domesday* is concerned a fair might have existed, but if the king had not granted the tolls to any one, but kept them in his own hands, it would make no difference in the rating for the Geld and might possibly be omitted from the Record. The mention of Irish merchants visiting Cambridge with cloth (*Liber Eliensis*, II. 32) is at least suggestive of a fair there before the Conquest. On the other hand it is sometimes possible to trace the history of the origin of a fair; there can be no doubt that the fair at S. Ives did not originate before the discovery of the alleged relics in 1002, and the earliest grant is 1110. Maitland (*Selden Society, Select Pleas, Manorial*, I. 131). There were fairs at Chester (Dugdale, *Mon. Ang.* II. 386) in the time of William II., and at Exeter in the twelfth century (*Pipe Roll*, 6 H. II. p. 51).

[3] By grant from King John, *Rot. Hund.* II. 358.

[4] By grant from King Stephen, *Hundred Rolls*, II. 359.

[5] By grant from King John, *Hundred Rolls*, II. 360.

[6] In the eighteenth century Stourbridge continued to be a most important mart for all sorts of manufactured goods, as well as for horses, wool and hops. Compare Daniel de Foe's most interesting account, *Tour* (1724), I. 91.

the Rogation Days[1]. By far the greater part of the internal commerce of the country was carried on at such fairs, as they afforded the only opportunities which the inhabitants of inland districts possessed of purchasing pepper and other imported articles; while they gave the best opportunity for bailiffs to lay in a store of those necessaries which they had little facilities for procuring in their own homes[2]. Stourbridge fair near Cambridge was the greatest of English fairs[3]; the fens which cut off the north of England from the rich district of East Anglia here came to an end, while the old Ickneild road which had skirted the north of the great Hertfordshire forest and connected Norwich with the south passed close by. Cambridge was thus a natural emporium for trade, but it was greatly favoured by the character of its river; this was a natural canal along which goods would be easily brought from the port of Lynn. It was here that Oxford colleges laid in their stock of salted eels for use during Lent, and that wool and woollen cloth were largely bought. A.D. 1066 —1272.

Undue extension of fairs.

A very vivid picture of the arrangements that were made for the business of a fair is presented to us in the agreement which was made between the Abbey of Lenton and the burgesses of Nottingham about the year 1300[4]. The fair was to be curtailed four days, in the interest of the local traders, and there was to be no open market in the town during the time the fair lasted. The size of the booths and the rents to be paid for them are specified; cloth-merchants, apothecaries and mercers frequented it, as well as men who dealt in hides and iron; and the terms of their rents and tolls, according as they were members of the Nottingham gild, and had land in the town or not, are explicitly stated. Merchants from distant towns would meet at these fairs, and they offered the chief opportunities for wholesale trade. Any disputes which arose were expeditiously settled at the Courts of Piepowder[5]

[1] *Hundred Rolls*, II. 391. [2] Thorold Rogers, *Six Cent.* I. 146.

[3] From the point of view of the Londoner in 1189, Boston and Winchester fairs appear to have been more important; the Husting Court was not held, as otherwise it would have conflicted with the business engagements of the citizens at these marts. Turner, *Domestic Architecture*, I. 275. On Boston fair see Thompson, *Assoc. Arch. Soc.* II. 370. [4] *Nottingham Records*, I. 61.

[5] Maitland, *Selden Society, Select Pleas, Manorial*, I. 132. On the regulations of fairs in Flanders, compare Warnkonig, *Flandrische Staats- und Rechtsgeschichte*,

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and generally according to Law Merchant[1]. The right to have such a fair and to receive tolls from those who carried on the merchandise was very lucrative; the owner of the fair was tempted however to hold it for a longer period than that which his grant assigned, and for this reason the fairs were carefully investigated by Edward's commissioners.

Taking these matters together we may say that an examination of the *Hundred Rolls* leaves on the mind an impression of most rapid growth during this period. The population both in rural districts and in towns had increased greatly, and there is ample evidence of a large foreign trade, and of great facilities for internal trade. At the same time, despite the mass of information which each record has preserved, we have not got the precise data which would be necessary in order to enable us to give an accurate statement about the actual growth in any single direction.

IV. Foreign Intercourse.

Political relations with Continent,

66. By far the most important results of the Norman Conquest, so far as English History and Commerce were concerned, lay in the new communications which were opened up with other parts of the Continent—communications which have been frequently interrupted, but never completely suspended. This was partly due to the double position of the reigning monarch, as Duke of Normandy as well as King of England, for a close connection was established between our country and the great northern duchy of France; in the early Plantagenet reigns by far the larger portion of the territories of the King of England were on the Continent.

and influence on trade.

The constant intercommunication, which these political

1. 320, and App. No. 38. Very full information regarding those of Champagne will be found in the work of Bourquelot, *Mémoires présentés à l'Académie des Inscriptions*, II^me^ Série, v. On the subject generally see Huvelin, *Essai historique sur le Droit des Marchés et des Foires*.

[1] On the special characteristics of Law Merchant see the curious paragraphs printed by Mr Bickley in *The Little Red Book of Bristol*, I. 57.

relations rendered necessary, must have given much more frequent opportunities for trade; while the fact, that the lands on each side of the Channel belonged to the same ruler, made trading far more secure, and therefore more profitable. A.D. 1066—1272.

A similar impetus had been given by the connections with Denmark and Scandinavia which were consolidated under Cnut, but they were of far less importance, for the Norsemen with all their skill and enterprise failed to establish a permanent and stable civilisation. Few things are more remarkable than the complete collapse of a power which had shown so much enterprise in planting industrial and trading settlements; but there was a want of cohesion among the several parts, and the alternation of tyranny and anarchy seems to have been fatal to the commerce of the northern lands. The decline of northern seafaring and power synchronises in a remarkable manner with the conversion of the Swedes and Norsemen. But there was ample compensation in the rapid development of industrial and commercial life in Flanders, in Lorraine and the north of Germany, and among the French communes; signs of progress were beginning to show themselves in the growth of new cities within the provinces of the old empire, and even beyond its limits at Hamburg, Bremen, and Lubeck[1], the nucleus of the Hanse League, which suppressed piracy and organised trade. Strassburg, Cologne and other German towns had risen into importance under the wise rule of Otho II. and the fostering care of Archbishops and Bishops[2]; in the twelfth century they were beginning to secure independence from the control of the ecclesiastical potentates[3]. S. Omer[4], Bruges and other Flemish towns had already attained considerable status and importance. The northern towns exercised a great influence on this island, not only by commercial intercourse, but through the settlers who immigrated here[5]. Tradition reports that many of them found homes in A.D. 1017. A.D. 1170. A.D. 975. A.D. 1127.

[1] Cunningham, *Western Civilisation*, II. 112.

[2] Gfrörer, *Papst Gregorius VII.*, VII. 2. Höhlbaum, *Hansisches Urkundenbuch*, I. Nos. 4, 5, 6.

[3] Schmoller, *Strassburgs Blüthe*, p. 14. Höhlbaum, *op. cit.* I. No. 7.

[4] Giry, *Histoire de la Ville de S. Omer*, p. 47. [5] See *Appendix E.*

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Moray[1] and Aberdeenshire[2], and associates them with the Hanse which existed north of the Grampians in the thirteenth century[3].

Intercourse with Constantinople.

Great as was the influence exercised by these northern towns, far more important results were due to the fact that western Europe now began to come in contact with the heritage of Roman civilisation, as it had been preserved at Constantinople. The debt which Christendom owes to this great city is rarely acknowledged: she was the bulwark which broke the force of one wave of invasion after another; the Goths in the fourth century, the Huns in the fifth, the Slavonic tribes in the sixth, the Persians and Saracens in the seventh and eighth, and the Magyars and Bulgars in the ninth, were all checked by the strength she commanded in her impregnable position[4]. It was no slight service she rendered by merely affording time for the slow growth of western civilisation; but we owe her far more than this, for the final achievements of the ancient world were preserved for us, not in the old Rome, but in the new. It was in Byzantium that the great code of Civil Law was compiled; it was in Byzantium that the best results of Greek science and letters were retained; above all it was at Byzantium that the trading habits and connections of the Empire were preserved. We in England gradually appropriated the heritage of ancient Rome, but it reached us through strange and tortuous channels: little came to us directly from the province of Britain; a larger share was introduced by missionaries and ecclesiastics; but still more came through the Italian cities, which had derived their commercial vigour from their intercourse with Constantinople. Italian commerce revived in centres which had preserved their allegiance to the Eastern Emperor; Bari was one of the first towns in Italy to show signs of a fresh commercial life; but it never attained to the importance of Amalfi, the town from which a code of mercantile law emanated, and the name of which is associated with the discovery of the compass.

[1] Bain, *Nairnshire*, pp. 92, 93. [2] Robbie, *Aberdeen*, p. 18.
[3] *Scottish Municipal Corporations, General Report* (1835), p. 11.
[4] D. Bikelas, *Christian Greece*, 23.

The people of Amalfi had the first Italian factory at Constantinople; they had trading connections with Antioch in Syria; and as they entered into friendly relations with the Mahommedans in Sicily and North Africa, they did not a little to re-establish the commercial intercourse which the Arab invasions had severed. The Venetians, who had always held aloof from the Lombardic kingdom, soon followed the example set them; they obtained a footing in Constantinople, and engaged in friendly trade with the Saracens; while their position enabled them to open up commercial intercourse with Germany as well. The town life of Italy, and the Eastern and African trade of Italy, had begun to revive before the time of the Norman settlements in Sicily or of the Crusades. These were in many ways disturbing elements, but they at least served to raise up new competitors in Italy, and to introduce the French and English to Mediterranean waters. A.D. 1066—1272.

Consequent commercial revival.

The existence of all these towns in such widely separated regions is a sign of reviving commercial activity throughout Europe at this time; they supplied the necessary conditions without which regular trade could hardly be carried on at all. Unless in a town, or in a fair, the foreign merchant had not any sort of status and could not recover his debts; he was liable to be mulcted, not according to the Law Merchant which he understood, but by local customs which were unfamiliar. This was equally true whether his business took him to another country or only to another county. The Norwich merchant who visited London was as much of a foreigner there as the man from Bruges or Rouen. In the *Calendar* of fourteenth century letters despatched officially from the city of London we find the same sort of communications sent to the Bailiff and Good Folk of Gloucester, as went to the Burgomasters and Echevins of Sluys[1]. Commerce almost necessarily concentrated itself where such legal facilities

Legal facilities

[1] The two entries referred to are consecutive; in the first the Gloucester authorities are asked to compel Thomas son of William Porter of Gloucester to pay a long standing debt of 100 shillings to Andrew Aubrey of London; in the next the Burgomasters are informed that John Pelegrym and William Crudener of Sluys had paid £3. 13*s.* which was owing to John Bartelot. R. R. Sharpe, *Calendar of Letters*, 57.

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were available; and thus the towns, or communes, with their gild merchant, were institutions without which trade could not be conducted, or at any rate not conducted on such a scale. Even in regard to the business done at fairs the municipality was an important factor; for it was through the municipality to which the merchant belonged that redress could be obtained in the case of any wrong done[1].

Inter-municipal commerce.

The commerce of the twelfth century then was municipal rather than national; internal trade was inter-municipal and so too was distant trade. It grew rapidly because the king's peace and the peace of God, and the personal protection vouchsafed by foreign princes, gave some security for friendly intercourse. But the chief occasions for intercommunication throughout Europe arose in connection with the Crusades, and their direct and indirect influence is observable in England as elsewhere. Still, apart from this fresh impulse, the kingdom gained not a little, by the mere fact that it had been drawn out of its isolation into closer connection with continental lands.

Immigration of artisans. Weavers.

67. There was, for one thing, a large immigration of artisans which began soon after the Conquest[2]. A number of Flemings had been driven from their own land by an inundation, and they not unnaturally sought new homes in an island where a noble Flemish lady had gone to reign as queen. She took them under her own personal protection, and they were scattered all through the kingdom, where however they did not succeed in getting on peaceably with

[1] Roll of S. Ives fair printed by Prof. Maitland, *Select Pleas, Manorial*, I. 138. A most interesting correspondence is printed by Delpit (*Collection*, Nos. LXVIII. LXIX. and LXXI.). It arose out of a dispute between some horse-dealers at the fairs of Champagne and Brie in 1292. A Florentine resident in London was said to be in debt for horses bought but not paid for, and the custodes of the fair wrote in 1300 to the mayor and citizens of London. The Florentine produced a quittance duly signed, sealed and attested, but the custodes of the fair declared themselves dissatisfied and demanded that the goods of the Florentine should be distrained, and he himself arrested. This the mayor refused to do without a mandate from the king, who was away in Scotland, as the Florentine and his friends were "de libertate civitatis Londoniensis." Apparently intermunicipal justice was slow, and not always sure.

[2] For additional proofs of the views expressed in this section see *Appendix E.*

the other subjects. King Henry I. contemplated expelling them from the realm, but finally assigned them a special district in Wales. There are still marked differences which distinguish the men of Tenby and Gower from their Celtic neighbours. Giraldus describes them as "gens Cambrensibus inimicissima"; but adds "gens (inquam) lanificiis[1], gens mercimoniis usitatissima[2]." The position which these weavers and dealers had originally secured cannot have been satisfactory; Camden remarks that they were not enriched with lands, but taken under personal protection by the queen. So long as they were specially privileged they could not amalgamate readily with their neighbours; it was impossible to perpetuate the distinction for all time, and therefore it was necessary that they should either settle down as ordinary burgesses, or occupy a separate district by themselves. A.D. 1066—1272. A.D. 1107.

Merchants.

We have specific information in regard to these Flemings, but theirs was not the only, nor perhaps the most important migration. A chronicler tells us that merchants followed in the wake of the Conqueror from Rouen; they preferred to dwell in London "inasmuch[3] as it was fitter for their trading and better stored with the merchandise in which they were wont to traffic."

Builders.

Many monuments remain and give unimpeachable evidence of a large incursion of builders at all events. The few stone buildings which date from the time before the Conquest[4] are different both in style and workmanship from those which were erected in the twelfth century, but the twelfth century was a time of extraordinary activity in masons' work of every kind[5]. There are numberless abbey

[1] The linen manufacture of Ypres and Cambrai (*cambric*), though it probably existed at that time, was not planted in England till later. Madox, *Firma Burgi*, 197.

[2] Giraldus Cambrensis, *Iter Camb.* I. xi. See also Camden's note, p. 850, and Holinshed, *Chron.* 1107.

[3] Anonymous Life, in *Materials for History of S. Thomas a Becket* (Rolls Series), IV. Quoted by Green, *Short History*, 88.

[4] Such are the churches of Deerhurst (Gloucestershire), Bradford (Wilts), Worth (Sussex), Dunham Magna (Norfolk), Stanton Lacy (Shropshire); also the towers of S. Benet's, Cambridge, S. Michael's, Oxford, Earl's Barton (Northants).

[5] On the Church and Castle Building in Norfolk alone, compare Rye, *Norfolk*, p. 33.

A.D. 1066 —1272. *Churches.*

churches[1] and cathedrals which still bear witness to the skill of the Norman builders; but they give but a small idea of the amount of work which was going on at that time. However it may have been altered since, the fabric of very many of the parish churches of England still supplies evidence that the present buildings were first erected in the twelfth century; possibly the churches before this date had been usually constructed of wood[2]; and the parishes throughout the length and breadth of England seem to have vied with each other in substituting new churches of stone[3]. But besides these ecclesiastical edifices, many castles were reared. From Rochester to Carlisle[4], from Hedingham to Ludlow the land was studded with huge fortresses. Both in design and in detail the masonry of the time bears witness that it comes from the hands of the men who practised the arts as they were followed at Caen. When we consider the number of these buildings which are still standing, though with more or less of subsequent alteration, and the tedious labour that was required to erect them, we cannot but feel that a very large number of masons and builders must have come in with the Conqueror.

Castles.

The position of alien artisans in towns,

Domesday Book gives us ample evidence as to the existence of artisans of French or foreign birth. The case of Shrewsbury has been noted above[5]. Norwich had been much wasted, partly by the exactions of Earl Roger, partly by fires and partly by the pressure of the Danegeld, and many citizens had betaken themselves to Beccles. There had been French burgesses in the new town even in the time of the Confessor, but the number had greatly increased[6]. This brings clearly before us the fact that the immigration of foreigners had begun before the Conquest itself, in connection perhaps with that fashion for Norman ways which characterised the Confessor's Court[7]. They were so far an

[1] One case occurs of contemporary church building in the Worcestershire *Domesday*, Bratfortune. Ibi sunt boves ad unam carucam sed petram trahunt ad æcclesiam. I. 175 b, 2.

[2] Like Greensted in Essex.

[3] E. S. Prior, *Gothic Art in England*, 42. The affinities of English art were rather with Norman and Angevin than with French models, *ib.* 16.

[4] M. Creighton (*Historic Towns*), *Carlisle*, 26.

[5] See above, p. 173. Compare also the second and seventh wards of Cambridge. *Domesday*, I. 189 a, 1.

[6] *Ib.* II. 117, 118.

[7] Freeman, *op. cit.* II. 29.

important body that one of the so-called Laws of William defines their position; the Frenchmen who had been settled in England in the time of the Confessor were to be at scot and lot with the other inhabitants according to the law of England[1]. A.D. 1066—1272.

From this we may perhaps infer that the artisans who settled in this country after the Conquest, were not at scot and lot with the other inhabitants[2], but had an exceptional position such as was accorded to the Flemings by Queen Matilda. This may have been a specially favourable condition at first, but as the burgesses gradually secured an increased number of chartered privileges for themselves, the men of foreign extraction who were in the community, but not of it, would be placed at a disadvantage. This is reflected in the early laws regarding weavers in Winchester, Marlborough, Oxford[3] and Beverley, which are preserved in the *Liber Custumarum*[4]; the greatest precautions were taken to prevent a weaver[5] obtaining the franchise of the town and he had no standing in the courts as against a freeman. The disabilities under which weavers laboured cannot be accounted for by supposing that the richer burgesses oppressed the artisan[6], for at Winchester at all events *circ.* A.D. 1350.

was exceptional;

their disabilities,

[1] *Laws of William*, III. 4, in Thorpe, *Ancient Laws*.

[2] Compare the statement as to the position of the English and French burgesses in Hereford. *Domesday*, I. 179 a, 1.

[3] See below, p. 191, n. 4.

[4] Rolls Series. *Munimenta Gildhallæ*, II. 130, 131.

[5] The analogy of Aberdeen is instructive. There it appears from a charter granted by Alexander II. in 1222, that the weavers and dyers (waulkers) were already privileged, and were therefore excluded when the burgesses were allowed to have their hanse. But the members of the gild merchant were not called on to abjure such crafts, in fact none might exercise them but the members of the gild who were at scot and lot with the other burgesses "with the exception of such as had hitherto their charter securing this privilege." Bain, *History of the Aberdeen Incorporated Trades*, 36.

[6] Prof. Ashley maintains (*Economic History*, 83) that the disabilities of the weavers were instances of oppression which artisans suffered at the hands of the rich. It is difficult to suppose that trade had so developed in all these towns as to allow of the formation of a class of wealthy merchants. It appears that in Newcastle (Stubbs, *Select Charters*, 112) the freemen did not disdain to be engaged in cloth manufacture. In Scotland there are more signs of exclusiveness on the part of the gilds merchant, as both butchers and dyers, as well as some others, were excluded from the gild merchant if they laboured themselves at the business (*Burgh Laws of Scotland*, c. XCIV. p. 46). This is parallel to the Belgian prohibition against admitting those 'with dirty hands' or 'blue nails' (Brentano, *Gilds*

A.D. 1066 —1272.

there were burellars who were freemen[1]. But the whole becomes intelligible if we may assume that weaving, as a regular craft, was introduced into England by foreign settlers about the time of the Conquest[2], and that the weavers in the various towns were foreigners who were not at scot and lot with the other inhabitants[3]; their independent position gave rise to jealousies and riots in the time of Henry I., and would continue to do so in the case of those who had not availed themselves of the opportunity, if it offered, of removing, as other wool workers did, into the south-west of Wales.

and organisation in craft gilds.

If this supposition be correct, it will go some way towards explaining the first beginning of craft gilds in England. Frith gilds[4] were a native institution, and merchant gilds may have been so, in germ at any rate, though we do not find them in their fully organised form till Norman times[5]; but strangers who lived by the same trade and had common interests, while they suffered under similar

F. E. T. S. CVII.). But on whatever ground the prohibition of one or two particular crafts was based, it must not be too readily strained into an objection to artisans as such. It is curious too to observe that one of these very trades is specially reserved to burgesses in a charter granted to Chesterfield in the time of Edward II. No one was to be a dyer or tanner unless he was a burgess or had made satisfaction to the lord. *Records of the Borough of Chesterfield*, pp. 36, 40.

[1] *English Gilds*, 351. *Archæological Journal*, IX. 77.

[2] The reasons for this are the facts that wool was exported and cloth imported before the Conquest, and that weavers are not mentioned before that time so far as I have noticed. There might of course be a great deal of domestic weaving by women in households; this was the way in which the art was practised in the time of Charles (Gfrörer, *Gregorius VII.*, VII. 130); and there might be plenty of very artistic work, even though it was not a regular occupation by which men earned a living for themselves and their families.

[3] David, a dyer of Carlisle, fined in the sixth year of king John to have his house made a burgage and to have the same liberties as the other burgesses of Carlisle. Madox, *Exchequer*, p. 278.

[4] The king's peace was on the whole so effective in England that the frith gilds played a less important *rôle* than the corresponding institution in France, where a great deal was accomplished by the common action of similar associations in the way of securing the inhabitants of each *commune* against the depredations of barons engaged in private wars, and, generally speaking, of maintaining the peace of God. Thierry, II. 122. Semichon, *La paix et la trève de Dieu*, I. p. 195. Levasseur, *L'histoire des Classes ouvrières en France*, p. 180. There was no need for them to undertake this function in historic times in England, as the king's peace was enforced during the parts of the year which the peace of God had been intended to protect, and also professed at all times to give security on the main roads and navigable rivers of the realm. Roger of Hoveden, II. 219, 223.

[5] Gross, *Gild Merchant*, I. 2, 4.

disabilities, would be glad to associate themselves together; A.D. 1066 —1272.
and no form of association was better adapted to their needs than that of which examples in all probability already existed at Paris and Rouen[1]. Some of these obtained royal sanction, and paid annually for their privileges; while others, which had been informally established, would have been fined by Henry II. in 1180[2], when he amerced various gilds which were certainly composed of native Englishmen, like that of the burgesses of Totnes. At the same time it is important to notice that the permission to form such craft gilds, while it might give immunity to the foreign weavers, would not allay the irritation of the burgesses who were at scot and lot[3], against those who had no real status in the towns where they lived, but had direct relations with the crown. In the time of Henry II. there were weavers' gilds under royal protection in Nottingham, York, Oxford[4], Huntingdon and Winchester[5]. A.D. 1160. The most frequently mentioned of all these gilds were the weavers of London, and they had charters from Henry I., Henry II. and Henry III. John promised the citizens that he would suppress this gild[6], on their paying a larger annual sum than the weavers had been wont to pay; but apparently he only took money from both parties and allowed matters to run in the old course. They may possibly, during their earlier struggles, have inhabited a soke of their own, exempt from civic jurisdiction[7]; but though they still had a weekly court of their own for regulating their internal affairs in the time of Edward I., the city had succeeded in asserting authority over them, as they were under the jurisdiction of the Mayor in

[1] Gasquet, *Précis des institutions politiques*, II. 238. Levasseur, *L'histoire des Classes ouvrières*, I. 193. Araskhaniantz, *Französische Getreidehandelspolitik*, 5. See *Appendix E.*

[2] Madox, *Exchequer*, c. XIV. § 15, p. 390. Mr Unwin regards the adulterine gilds as social rather than industrial, *Gilds of London*, 52.

[3] This seems to be the general phrase for contributing to the burgh rate. The common opinion, that 'scot' means the payment of a rate and 'lot' the performance of communal obligations, has been discussed with care and disproved by Gross, *Gild Merchant*, I. 54. He also points out a case where it seems to mean having a share in goods purchased—the right of *gavel*. See below, p. 221, n. 1.

[4] They paid a cask of wine as a fine in 9 H. III. to be allowed to carry on the manufacture of cloth as they had done under Henry II. and John, and not to be obstructed by the mayor of the town. Madox, *Exchequer*, 286.

[5] Madox, *Firma Burgi*, 26. *Exchequer*, c. X. § 5, p. 232.

[6] Madox, *Exchequer*, IX. § 2, p. 329, note *m*. [7] Riley, *Liber Cust.* I. lxii.

A.D. 1066—1272. 1300[1]. The difficulty of dealing with craftsmen who claimed to have royal authorisation and to be independent of local jurisdiction was illustrated under Edward IV. by the quarrel A.D. 1475. between the tailors at Exeter and the town[2], and it seems to have been a question of general interest in the time of the A.D. 1376. Good Parliament[3]. The formation of craft gilds, as specialised branches of town authority, occurred very frequently in the fourteenth century[4], but these earliest craft gilds may well have originated as institutions formed by foreigners who had settled in English towns.

Cloth manufacture. These gilds were probably formed in the places where weavers had settled in some numbers, but there is evidence that in the thirteenth century definite efforts were made to develop the industry. The assize of cloth issued by Richard I.[5] (1197) and enforced under the Great Charter, was apparently intended to foster a regular English trade. It would restrict or prevent the sale of cloth woven as a household occupation and favour the weavers, who took up the industry as a trade; but it also told against the merchants who imported cloth of different kinds and qualities from foreign markets[6]. Those who frequented Stamford fair[7] protested against the regulation, and many towns in the reign of King John paid fines for liberty to deal in cloth of any length and breadth[8]. Simon de Montfort[9] exerted his influence on behalf of the native production; and the manufacture must have grown so far, that it seemed possible to supply the home market successfully, when the Oxford Parliament in 1258 adopted the policy of prohibiting the export of wool[10]; but they had to contend with a lack of patriotism on the part of Englishmen, who did not support home industries but preferred to purchase foreign cloth. The subsequent restriction, from 1271 to 1274, of the export of wool to Flanders, or import of cloth thence, would protect the home producer; but it was doubtless due in part to political

[1] *Liber Cust.* I. 121. See below, p. 341. On the jurisdiction of the Weavers and Fishmongers respectively. Compare Unwin, *Gilds of London*, 42.
[2] *English Gilds* (E. E. T. S.), 302.
[3] *Rot. Parl.* II. 331, No. 54.
[4] See below, p. 338.
[5] Roger of Hoveden, IV. 33.
[6] As in 1328. 2 Edward III. c. 14.
[7] Ashley, I. 180.
[8] Madox, *Exchequer*, c. XIII. § 3, p. 324.
[9] *Annal. Monast.* (R. S.), IV. 158.
[10] Walter of Hemingburgh, I. 306.

motives, as there was a deliberate desire to damage Flemish trade[1]. The thirteenth century ordinances show the continued regulation of the trade at Winchester[2], while the appointment of an aulnager by Edward I. and Edward II.'s prohibition of the export of teasles[3], gave expression to the care which successive monarchs bestowed on the trade; disputes about the regulation of the worsted trade in Norfolk, in 1315, show how far one branch of the clothing industry had developed. There is also indirect evidence that these various attempts at fostering and protecting this trade were successful. English cloth was to some extent an article of export, and was in demand in Aragon[4]; while the quantity of dye which was imported gives a slight indication of the progress of weaving, though the art of dyeing lagged behind the manufacture, and English cloth was sometimes worn of the natural colour of the wool. A.D. 1066—1272.

These various pieces of evidence, which have been for the most part accumulated by Professor Ashley, seem to show that the foundations of English cloth manufacture were firmly laid before Edward III. invited John Kemp and others in 1337; but though it was not introduced from abroad at that date, there is no reason to suppose it was of purely native origin.

At the same time it is disappointing that we know so little of the places at which the trade thus rapidly developed was carried on in the thirteenth century; the facilities for general regulation took away the chief economic excuse for forming new local gilds of weavers. The men of Esseburn who stretched their cloth unduly, were surely weavers rather than merchants; and the occasional mention of dyers, fullers or shearmen may be taken as indicative of a weaving neighbourhood. The art is easily learned, and would soon spread in any town where a skilled weaver settled, while

[1] The enquiries in the *Hundred Rolls* elicited some curious information about evasions.

[2] *Archæological Journal*, IX. 70.

[3] For this point I am indebted to Mr Hubert Hall, who has called my attention to this interesting proclamation. Close Rolls, 19 Ed. II. M. 5 d. See *Appendix D*.

[4] F. D. Swift, *James I. of Aragon*, p. 229.

A.D. 1066—1272. the conditions of life in Flanders and England respectively would favour such immigration, though we do not hear of it as we do in the twelfth and fourteenth centuries.

Alien merchants. 68. The artisan settlers were gradually absorbed in the ordinary English life of the places where they were established, but there were other foreigners who simply came to trade and not to settle. They were always anxious to live according to their own rules and decide their own disputes, and also to secure a place of residence where they could be housed and store their goods, without being at the mercy of English hosts. The privileges which they obtained time after time were purchased from the kings; and the struggle between conflicting authorities, which we have seen in connection with the immigrant artisans, repeated itself in regard to the rights of aliens who lived and did business under special privileges in London or other cities.

Germans. The men of the Emperor[1] had been established in a permanent position in London in the time of King Ethelred and their privileges are carefully noted in his laws[2]. William of Malmesbury mentions the importance of their trade at London[3]. Very extensive privileges were granted to the mer-

A.D. 1157. chants of Cologne by Henry II. They were to be protected as his own men both in their merchandise, possessions and house in London, and no one was to make new exactions from them[4]; later, they had a concession in regard to selling their wine on the same terms as French wines. King Richard on

A.D. 1194. his return from captivity passed through Cologne and was still more lavish in his grants to the traders there; they were to pay two shillings yearly for their gildhall in London, and to be free of all tolls and customs in the city, and also to be free to buy and sell at fairs throughout the land, in London and elsewhere[5]. This charter was subsequently confirmed by

A.D. 1213. John[6] and by Henry III.[7]. The chief obligation under which they lay was that of repairing the gate called Bishopsgate;

[1] Heyd (*Levanthandel*, I. 98) holds that these probably came from the fair at Frankfurt and from Mainz, which was then the staple for Eastern produce, and was frequented by the burgesses of many towns. Lappenberg, *Stahlhof*, I. 5.

[2] *De Institut. Londonie*, 2. Thorpe, I. 300.

[3] *Lib. de Gest. Pont.* II. prol. [4] Lappenberg, *Stahlhof*, II. 4.

[5] Ibid. II. 5. [6] Ibid. II. 6, 8. [7] Ibid. II. 12.

but during the reign of Henry III. they had allowed it to fall into disrepair[1] and an effort was made early in the time of Edward I. to distrain them; under this pressure they made a payment towards the necessary repairs of 240 marks sterling, and promised to keep it in repair for the future. On this the city authorities[2] confirmed the privileges they exercised with regard to dealing in corn and electing their own aldermen. There were to be many feuds in after times between the men of the Hanse and the London citizens, but this incident closed by a formal agreement that the Hansards should elect their own aldermen, but that the superiority of the city should be recognised[3]. A.D. 1066—1272. A.D. 1282.

The Steelyard.

At this time the Steelyard, or house of the German merchants, was a considerable place; it had been enlarged in 1260 by the purchase of an adjoining house and garden[4]. The precise relations between the merchants from the different towns which subsequently formed the League do not concern us here, but it appears that the men of Lubeck and Hamburg had separate privileges[5]; and the Flemish merchants also had a hanse of their own in London[6].

Provincial centres of German trade.

The trade between London and Germany was very important[7], but it was not confined to London. There were many merchants from Lubeck and other German towns in Boston and Lynn[8]; hansehouses were eventually built at both places; but as early as 1271 the Germans had some sort of local organisation of their own, and Symon, a citizen of Lynn, was their Alderman there; on one occasion he gave a pledge on behalf of some Lubeck merchants to the amount of £200. On the whole we find a marked progress in the privileges of the German merchants; at first they had a vague

[1] *Rot. Hund.* I. 416, 428 b, 431. [2] Lappenberg, *Stahlhof*, II. 14.

[3] Concesserunt etiam eisdem quod habeant aldermannum suum prout retro actis temporibus habuerunt; ita tamen quod aldermannus ille sit de libertate civitatis predicte, et quociens per predictos mercatores electus fuerit, maiori et aldermannis civitatis presentetur et coram eis sacramentum faciat rectum et justiciam in curiis suis quibuscumque faciendi, et se habendi in officio suo, prout salvo jure et consuetudine civitatis se habere debebit et consuevit. Lappenberg, *Stahlhof*, II. 15.

[4] Maitland, *Survey of London*, I. 29. [5] Lappenberg, *Stahlhof*, I. 13.

[6] Warnkönig, *Flandrische Staats- und Rechtsgeschichte*, I. App. No. 39.

[7] William of Malmesbury, *Gesta Pont.* § 73.

[8] Lappenberg, *Stahlhof*, I. 163, 166. *Lubecker Urkundenbuch*, I. No. 329. See also on Lynn in Sartorius, *Deutsche Hanse*, II. 223, No. 113.

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protection as the personal subjects of the Emperor, but their status was recognised both by royal and municipal authority in the reign of Edward I., when they had an organisation in several towns, and a local habitation in London.

Articles of trade.

We have ample contemporary information as to the staple articles of the leading trade. Henry of Huntingdon, whose history was finally given to the world in 1155, while extolling the natural products of Britain[1], adds a single sentence in regard to its trade. He speaks of the trade with Germany as extensive, and mentions the objects in which it was carried on; the exports were lead and tin, fish and meat, fat cattle, fine wool and jet. Most of these are articles of very general demand; while our realm was so self-sufficing that England did not depend on Germany for any of the necessaries of life. Under these circumstances the silver of German mines was imported into this country in very considerable quantities. There seem to have been occasional instances of the export or import of corn, and this according to William of Malmesbury was one of the main advantages of the trade, that we could buy corn in time of scarcity.

Eastern trade.

There is every reason to believe that spices and other articles of luxury might be imported from the East through this channel. During the eleventh and twelfth centuries the Slavs carried on a great trade, as the Norsemen had previously done. They had a trading emporium at the mouth of the Oder, and were in constant communication with the Russian cities at Kiew and Novgorod, and thence with the Black Sea and the East[2]. Charles attempted to open up the Danube valley for commerce[3]; though there does not seem to have been much through communication from Germany along the whole line, until the time of the Crusades, when several of the expeditions made a passage by this route. Constantinople was in a commanding position for trade with the East, whether goods were brought by caravan through Syria, or across from Egypt, or by Trebizond and the Black Sea; this last was the route which remained most constantly open, as the Mohammedan power extended.

[1] Compare the accounts of the natural products given by Bede, *Hist. Ecc.* I.

[2] Lelewel, *Géog. du Moyen Age*, III. 216.

[3] Heyd, *Levanthandel*, I. 91.

69. The northern trading connections remained unbroken, and we may note signs of a vast development in the importation of wine. The merchants of Rouen, who enjoyed unexampled prosperity during the latter part of the twelfth century[1], did a large trade in wine transported, as it had been before the Conquest, from central France[2]; but we hear of other vintages too, as a great Lorraine fleet arrived annually[3]; repeated privileges were given to the men of Cologne[4]; and Rochelle shipped wine to Dublin[5]. There were Gascon merchants in London in 1275, and they received a charter of liberties from Edward I. The city complained that the terms of this charter were an infraction of their privileges; apparently the difficulty was about the right of the merchants to live together and have their own table[6]. The citizens did not contest their right to have cellars and warehouses; the Londoners were more successful than they had proved in their complaints against the men of the Emperor, and kept the control of this trade in their hands. This would require shipping, as communication with Gascony must of course have been carried on by sea, but it does not appear that English sailors voyaged further till the time of Richard Cœur de Lion, when we have the first undoubted instance of English ships penetrating to the Mediterranean[7]. A.D. 1066–1272. *Import of wine.* A.D. 1221. A.D. 1190.

There was of course abundant intercourse with Rome on ecclesiastical and diplomatic affairs, but this was doubtless carried on by the Seine, the Rhone and Marseilles; Rouen was the main port of communication, though Bruges was also used[8], as well as Calais. The detailed itinerary from this point, but for a later period, by Paris, Lyons and Turin is given in *Arnold's Chronicle*[9]. Along some such route as this the wool of England was conveyed to be worked up in Italian looms. Lucca had been a centre of this trade in the ninth

[1] E. de Fréville, *Commerce maritime de Rouen*, I. 108.

[2] Wine of Auxerre, Madox, *Exchequer*, XIII. 3. [3] *Lib. Cust.* I. 61.

[4] Lappenberg, *Stahlhof*, II. 6. [5] *Munic. Doc. Ireland* (Rolls) 77.

[6] Delpit, *Collection*, LXX. LXXIX.

[7] Macpherson, *Annals*, 1190. The first of the fleets of galleys which came from Venice appears to have been organised in 1317. Brown, *Calendar* (*Venetian*), I. lxi.

[8] *Encomium Emmæ*, 1042. Sharpe, *Calendar of Letters*, vi.

[9] London, 4to. 1811, p. 242

A.D. 1066 —1272. century, the Florentines took it up somewhat later; but the *Hundred Rolls* show us that many merchants from both

A.D. 1275. cities were engaged in buying wool for transport from England. They seem to have formed large merchant houses with several partners; Aldebrand of Lucca and all his company, Lucas of Lucca and all his company had been dealing

Export of wool. in London[1]. There were several companies of Florentine merchants who bought wool at Stamford and shipped it at Boston[2] or Lynn[3], as well as a Piacenza company; and there were more Florence merchants in Northampton[4]. Indeed it appears that in 1284 many monasteries in Great Britain had agreed to sell their wool to the Florentines[5]. It has been frequently stated[6] that the Lombards and other Italians first settled in the north as agents for the collection and transmission of papal taxation, but it is at least clear that they carried on a large mercantile business at the same time or developed it after they arrived. The proof of the export of wool to Italy shows that it was perfectly possible to remit the value of the payments to Rome without denuding the country of the precious metals[7].

Venetian and Genoese factories. This great trade with Italy gave improved opportunities for communication with the East; allusion has already been made to the new developments of commercial activity at Amalfi and Venice. The Norman invaders destroyed the commerce of the southern town, and the first Crusades had little immediate result for the Venetians. But since Genoa and Pisa had ousted the Saracens from Corsica and Sardinia, they were free to take part in more distant enterprise; they undertook much of the transport service for the Crusaders, and established factories in Syria, which gave them access to the caravan routes towards the East; whilst

[1] *Rot. Hund.* I. 405.

[2] The returns of the customs seem to show that the wool trade of Boston greatly exceeded that of any other port at this time. P. Thomson, *Assoc. Arch. Soc.* II. 369.

[3] *Rot. Hund.* I. 353, 357, 396.

[4] Ibid. II. 4, 15.

[5] Peruzzi, *Storia del commercio e dei banchieri di Firenze*, p. 70.

[6] Schanz, *Englische Handelspolitik*, I. 111.

[7] A very curious story showing that foreign merchants travelled to England with ready money and collected wool for export as early as 1114, is quoted by Prof. Ashley (*English Woollen Industry*, p. 35) from Hermann, *De miraculis S. Mariæ Laudunensis*, II. cc. 4, 5 (Migne, CLVI. 975).

Genoa secured a factory in Constantinople in 1242; and thereby roused the jealousy of the Venetians. The destinies of the imperial city were for a time determined by their rivalries; the so-called Fourth Crusade was organised by the Venetians in their own trading interests, and when they had succeeded in establishing the Latin kingdom at Constantinople, they enjoyed, for nearly sixty years, unrivalled opportunities of expansion; their factories, at the mouth of the Danube, at Kiew and in the Crimea, date from this time. But when the Greeks, with the help of the Genoese, reestablished themselves at Constantinople in 1261, the Ligurian republic was able to follow in the wake of the Venetians, and to obtain settlements of their own in the Black Sea. Hence the Western nations, which were visited by merchants either from Venice or Genoa, were brought into closer connection with the trade of the East. Though Richard I. relied on the Genoese and adopted their patron saint, their subsequent relations with France were so close that they were often hostile to England. With the Venetians and Florentines on the other hand our intercourse was frequent and but little interrupted. A.D. 1066—1272. A.D. 1203.

Egypt.

The Crusades met with so little success in Egypt that hardly any attempt was made to establish Frankish colonies, like those in Syria; but several of the maritime cities had mercantile factories there, and trade by the Red Sea and the Nile routes was little interrupted; while the increasing power of Aragon, and her conquest of the Balearic Isles, rendered the Western Mediterranean more secure; the immediate results were seen in the revived prosperity of Barcelona and Montpellier. The twelfth and thirteenth centuries were marked by an extraordinary increase of commerce in every part of the Mediterranean; and improvements in navigation and in mercantile practice went hand in hand with this development. Englishmen had but little direct part in all this maritime activity; their time was not come; but the Italian merchants who bought English wool or visited English fairs brought them within range of the rapid progress that was taking place in Southern Europe. A.D. 1229.

The Jews

70. At the end of the thirteenth century it would

A.D. 1066 —1272.

appear that the English municipalities had so far advanced that they were able to absorb the foreign artisans and to come to terms with bodies of foreign merchants. But there was another large body of opulent men with whom the citizens had little or nothing in common. There was so much common law and so many similar habits of life throughout the whole of Christendom, that the artisan or merchant who was born in a French municipality would soon be able to adapt himself to the ways of English neighbours[1]. But it was not so with the Jews; they were intruders, with no status of their own, but such as was afforded them by the king who owned them as his chattels. As against the king they had no rights at all, and they could not grant a discharge to their debtors without the consent of royal officers[2]; in so far as they held land, it was simply a pledge which they possessed, not an estate to which they had a full title[3]. They were indirectly the instruments of countless exactions by the kings from their subjects, and shared in the unpopularity of their royal masters. But they were also personally unpopular because they maintained themselves in their isolation, just as the Chinese now do in San Francisco; they were determined not to adopt the industrial and commercial usages of a Christian community. How far this was their misfortune, and how far their fault it is not easy to say. Mr Jacobs contends[4] that the formal acknowledgment of Christianity, in the taking of oaths, was required in the acceptance of any public office, or the entering on an estate, and that the conscientious Jew was excluded from all ordinary business. It is difficult to believe that the formality was invariably enforced, and that it affected all methods of acquiring land to till; but it is probable that the social and religious feeling against them had become so strong that Edward I.'s attempt to force them to take to ordinary pursuits was impracticable[5]. So long as the Jews were regarded

as royal chattels.

[1] Richard of Devizes, *Chron.* § 81.

[2] Capitula Judæorum (1194), Roger Hoveden (Rolls Series), III. 266.

[3] J. Jacobs in *Anglo-Jewish Exhibition Papers*, p. 33. The case of 'Manasses' who had bought land in Oxfordshire, without the king's licence, appears to be an early instance, but too much importance must not be attached to a mere name. Blicestone, *Domesday*, I. 160 b, 2.

[4] *Jews in Angevin England*, p. xi.

[5] *Statutes of Jewry*, B. L. Abrahams, *The Expulsion of the Jews from England in* 1296, p. 38.

with such antipathy that they were liable to attacks from their neighbours, it was hardly possible for them to take to ordinary merchandise, or work, as they could not secure bulky goods from destruction, although they could secrete jewels or papers. The ancient house at Lincoln seems to suggest by its plan and arrangement that the inhabitants were prepared to stand a siege, and men who lived under such conditions could hardly venture to pursue ordinary avocations. A.D. 1066—1272.

Their isolation.

The very isolation of the Jews during this period renders their history specially interesting. The excellent collection of documentary evidence, which we owe to the industry of Mr Joseph Jacobs and the publication of the Anglo-Jewish Historical Exhibition papers, has shed a flood of fresh light upon the whole subject, and it is more easy to note the manner in which this one social group was affected by the various conditions of the time, and thus to obtain a clearer understanding of the nature of these conditions themselves. The political structure of the realm, and the comparative strength of the English crown, gave them on the whole a more favourable position than they enjoyed in other lands[1]; in the latter part of the twelfth century a special court, the Exchequer of the Jews, was erected for the purpose of regulating their affairs both fiscally and judicially; and the Jews were practically forced to gather together into those towns where public chests were maintained for the registration and preservation of their bonds. The king was able, on an estimate of these debts, to tallage the Jews from time to time and, if they did not meet his demands, to appropriate the properties pledged to them. The Jews thus served the purpose of a sponge which sucked up the resources of the subjects, and from which their wealth could be easily squeezed into the royal coffers.

The Exchequer of the Jews.

Unscrupulous and ruthless persecution.

The feeling against them also serves to illustrate the current tone of morality in various matters. The unscrupulous manner in which miserably insufficient evidence against them was accepted, and the violent cruelty with which they were treated by their persecutors[2], are striking instances of

[1] See the admirable paper of Gross in *Anglo-Jewish Exhibition Papers*, 170. Compare also von Raumer, *Geschichte der Hohenstaufen*, v. 243—256.

[2] Walter Rye in *Anglo-Jewish Exhibition Papers*, p. 136 f.

A.D. 1066 —1272.

the credulity and ruthlessness of the times; but these things lie on the surface and need not be insisted on here. For our purpose it is more important to note that the feeling against them was partly due to the trade they carried on, and that the attitude which was taken towards them illustrates the nature of the current business morality to which they failed to conform. The precise nature of the Christian objection to usury will be stated below[1]; it may suffice to point out here that the Jewish capital can have been of but little use for trading purposes as the merchant would apparently have had to borrow at something like forty per cent.[2]. If he could trade to advantage with capital obtained on such terms the ordinary rate of business profit must have been remarkably high, despite the terrible risks run by mediæval merchants. The real objection was that the Jew obtained forty per cent. by lending money to extravagant or heavily taxed landowners[3], and bargained himself out of risks of every kind, while the merchant who undertook the dangers and difficulties of trading could not obtain a similar rate of return. The Jew got his large return, not because he was more clever in the way in which he did legitimate business, but because he made a living by base and dishonourable callings. Contemporary writers did not make the excuses for the Jews which have been indicated above, and blamed them bitterly; and however much they may have exaggerated, we cannot but feel that an opinion which has asserted itself in so many lands and so many ages, deserves at all events to be examined, before it is contemptuously dismissed as an idle prejudice; and a little reflection on the conduct of the Jew in the East[4], or in pagan Rome, will serve to disprove the

Usury.

Base callings.

[1] See p. 256. [2] *Anglo-Jewish Exhibition Papers*, 207.

[3] For an excellent example compare the deed of William of Tottenham acknowledging a debt of 100 marks and mortgaging his land. Round, *Ancient Charters*, 82.

[4] For centuries they continued to live habitually by sordid callings. In the days of their great king foreign labourers had been required to build their temple, and their prophets in their highest moments of inspiration (*Is.* lxi. 4) rejoiced in the thought that the Gentiles were to do all the work while the Jew would idly enjoy the fruit. The contemptuous estimate of honest labour as compared with cultured leisure in *Ecclesiasticus* (xxxviii. 33) brings this side of the national character into fuller relief, while the ingenuity of the Talmudists was

calumny that the faults of the Jewish race originated wholly in the maltreatment they received at the hands of Christians. Every legislative effort[1] was made in the thirteenth century to induce them to conform to ordinary ways and take to other callings so that they might be assimilated into the life of the places where they lived. A.D. 1066—1272.

Their devotion to their own faith, even if it was not the sole reason for their isolation, was at any rate a very serious obstacle to their being absorbed into ordinary English society. Many efforts were made to convert them, and an hospital was founded in 1233 for the support of those who relinquished Judaism and were baptised. The converts ceased as Christians to be the chattels of the king, but as *Missionary effort.*

devoted to the elaboration of a code of dealing by which they might continue to spoil the peoples among whom they sojourned. If we consider the sort of reputation which the Jew enjoyed in pagan Rome, we find that he was no better and no worse than the Jew of the mediæval chroniclers. The darker side of the Jewish character has not been entirely produced by the treatment the race has received from Christians. It may not be possible to distinguish entirely the respective influence of circumstances and of disposition, but it is noticeable that the Jews have in many ages and lands roused the suspicions of those among whom they sojourned and alarmed them into self-defence. It is worth while to compare the feeling in Russia at the present time, which, be it observed, does not extend to those who have rejected the teaching of the Talmud.

The demands of the people of Pereyaslav are as follows:—1. That Jews, members of Town Councils and Provincial Assemblies, Vice-Directors of different town banks, should voluntarily give up their present posts, casting off the cloak of pride and braggadocio: as persons not possessing civic virtue, they are unfit to hold such places. 2. That the Jews should impress on their wives and daughters not to deck themselves out in silk, velvet, gold, etc., as such attire is neither in keeping with their education nor the position they hold in society. 3. That the Jews dismiss from their service all Russian female servants who, having served in Jewish houses, assuredly become prostitutes, forget their religion, and are intentionally depraved by the Jews. 4. To banish without delay all Jews belonging to other places who do not possess any real property in the town. 5. To close all drinking-shops. 6. To forbid Jews to abuse the Christian burgesses, and in general to scoff at them. 7. To prohibit Jews from buying up in the markets the first necessaries of life with the intention of reselling them to the Russians. 8. To impress on wholesale dealers in spirits not to mix with vodka any foreign element, which sometimes is injurious to health. 9. Not to trade on the Sabbath before noon, and at Christmas and Easter not to trade for three days, and not to work on our holidays. 10. To prohibit Jews buying wheat for trading purposes within thirty versts of the town of Pereyaslav, and therefore to remove all existing grain and flour stores. 11. To prohibit Jews from buying up uncut wheat, also to lease land from private individuals. 12. The Town Council is begged not to let, and the Jews not to hire, the grounds at fairs and markets, with the object of farming them out. *Consular Reports, Russia*, No. 2, 1882, p. 9.

[1] *Statutes of Jewry.*

A.D. 1066 —1272.

they were unable to claim their goods from him, they had to begin life as mere paupers[1]. The Domus Conversorum, as reorganised by Edward I., became an industrial training home. It maintained 97 persons in 1280[2], but some of the conversions were more apparent than real, if we may judge from the letter which Archbishop Peckham addressed to Edward I.[3]. He held that though they could not be compelled to profess the Christian faith, they ought to be forced to maintain a profession once made and sealed by Baptism.

Regulation of their business.

But when they remained steadfast in the faith of their fathers it was necessary, if they were to be absorbed into ordinary English life, that they should give up the special modes of obtaining a livelihood which they practised, but which were forbidden to Christians. From the time of Richard I. their usury had been regulated rather than prohibited, but Edward I. forbad them[4] to live by such loans, and insisted that they should seek their living and sustain themselves by other legitimate work and merchandise[5]. They had however continued to carry on usurious dealings under the colour of honest trade; and Edward was forced to revert to the plan of limiting the rate to 42 per cent., and decreeing that the Jew should not be able to recover more than three years' interest[6], along with the principal.

Influence of the Crusades on their position.

The bitter feeling against the Jews was obviously intensified at the time of the Crusades; barons and knights who stayed in England were not unwilling to show their zeal by

[1] Tovey, *Anglia Judaica*, 216. Edward I., in his anxiety for the conversion of the Jews, and the removal of obstacles to their absorption, consented to waive his claim to the property of converts. *Rot. Parl.* I. 49 (43).

[2] R. M. Clay, *Medieval Hospitals*, 22. In 1308 the number had sunk to 51. L. Wolf in *Anglo-Jewish Exhibition Papers*, 55.

[3] Non sine dolore cordis et angustia est nostris auribus inculcatum, quod nonnulli sexus utriusque, tam in civitate London quam alibi, qui a Judaica perfidia ad Christianam religionem conversi fuerant, ad vomitum redierunt, superstitionem Judaicam, ut primitus non sine contemptu fidei Christianæ nequiter mutantes. *Registrum Epist. J. Peckham* (Rolls Series), I. 239.

[4] Tovey, *Anglia Judaica*, 200.

[5] *Statutes of Jewry.* The duty of working, as a mode of personal self-discipline, and as supplying the means for aiding man and serving God was strongly urged by the Fathers, and was embodied in the Monastic Rule. This was probably the element in the public feeling against Jews which can be most directly traced to Christian teaching, and not merely to practical experience.

[6] Gross, *Anglo-Jewish Exhibition Papers*, 226.

slaying their unbelieving neighbours, especially when by so doing they were able to wipe out intolerable arrears of debt. A D 1066 —1272. The Crusades had besides opened up opportunities for doing business which Jews were glad to seize. Though the landed proprietor did not require money for purposes of trade, he was seriously at a loss for the means of equipping himself for an expedition to the Holy Land. The same circumstances which enabled many of the towns to buy their freedom, enabled the Jews to lend large sums on the security either of lands, or of an annual return in produce from the land[1]. There was in consequence an enormous increase in the amount of wealth which passed through Jewish hands[2] at the very time when religious passions were most deeply stirred.

The persecution began at the time of the coronation of A.D. 1189. Richard I.[3]; the Jews wished to propitiate this king and attended in numbers; but the mob maltreated the Jews who mingled in the crowd at the palace, and the scuffle was continued by an attack on the houses of the London Jews; many of these were burned and the inhabitants perished miserably. This evil example was followed at Lynn, Bury, and Norwich; some young crusaders attacked and slew many of the Jews who had gathered at the Stamford fair. But the most terrible scenes were enacted at York[4], on the return of Joceus from Richard's coronation; he had been forcibly baptised and, since he renounced this compulsory conversion, he became specially obnoxious as an apostate[5]. He succeeded in taking refuge with all his treasures in the castle, and the Jews endeavoured to defend themselves there; but as they were so mistaken as to defy the castellan and refuse him admission to his own castle, he took the lead of the mob which was still more incited by the preaching of a Premonstratensian Canon. Many of the Jews, acting on the spirited advice of a Rabbi, killed themselves; the remainder, who offered to treat, were massacred by the mob at the instigation of a certain Richard de Malabestia, who was deeply indebted

[1] Gross, *Anglo-Jewish Exhibition Papers*, 173.

[2] In 1259 the lower baronage complained that they were being ousted from their estates to the advantage of the magnates of the realm. Abrahams, *op. cit.* 23. Stubbs, *Select Charters*, 358. [3] Rye, *Anglo-Jewish Exhibition Papers*, 141.

[4] Drake, *Eboracum*, 94. [5] Rye, *op. cit.* 146.

A.D. 1066 —1272.

to the Jews[1]. By slaughtering their victims the crowd only accomplished half their purpose; they then proceeded to the Cathedral and burned the bonds which were enrolled there, so as to destroy the evidence of the royal claims upon them.

This bitter hatred of the Jews made itself felt, not only in these savage outbreaks, but in the disabilities which were imposed by regular authorities. They were not able to secure the possession of their houses, and were gradually driven from their quarters in the Old Jewry in London[2]. The townsmen who were trying to free themselves from the meddling of the sheriff were specially concerned to be rid of the presence of royal chattels[3], and the Jews were expelled

circ. A.D. 1253.

from one town after another. Simon de Montfort turned them out of Leicester and promised the burgesses they should never return[4]. In 1275 they were expelled from Cambridge by the influence of the king's mother[5]; but, as we have already seen, such action was not always disinterested on the

A.D. 1231.

part of noble personages. Robert Grossteste, in writing to the Countess of Winchester, is particular to point out that Christian rulers should not reap advantage from the results of Jewish extortion[6]. Though we hear less of mob outrage in the thirteenth than in the twelfth century, no substantial success attended the attempts to assimilate them, and absorb them into the ordinary life of the towns in which they lived.

Foreign Ecclesiastics,

71. The difficulties between the towns and the Jews were primarily due to the fact that the latter claimed whatever status they possessed from the king himself, and had no immediate relation with inferior authorities. But there were other immigrants who asserted rights to entire independence; they owed obedience to authorities beyond the realm, and claimed immunity, not only from the local regulations of burghs, but from the royal power itself. Such were the ecclesiastics, who flocked into England after the Norman Conquest. It has been pointed out above that the mission

[1] The proof of his debt and therefore of his motive came out in a document exhibited at the Exhibition in 1885. Rye, *Anglo-Jewish Exhibition Papers*, 149.

[2] Compare Mr Jacobs' scholarly paper and map in *Anglo-Jewish Exhibition Papers*, 30.

[3] B. L. Abrahams, *op. cit.* 18.

[4] Thompson, *History of Leicester*, 72.

[5] Rye in *Anglo-Jewish Exhibition Papers*, 165.

[6] *Epistolæ* (Rolls), 36.

of S. Augustine and the Roman monks to England was not of much direct importance[1], so far as economic matters are concerned, but that the indirect results were very far-reaching, especially in the legal changes which were introduced or accelerated, such as the granting of land in perpetuity by *boc*. On the other hand the great ecclesiastical invasion in the twelfth and thirteenth centuries is of interest, not only in legal, but in economic and fiscal affairs as well. A.D. 1066 —1272. *and their Economic influence.*

a. William's expedition had been somewhat of the nature of a crusade; and the ecclesiastical reforms which were carried out by Lanfranc and Anselm all tended to strengthen the papal influence in England. The separation of the civil and ecclesiastical courts opened the way for frequent appeals to Rome, and gave a new importance to the revived study of ecclesiastical jurisprudence. The Archdeacons, who had been educated in Italy even if they were English by birth, were not always a credit to their order[2]; and the payments which arose through papal claims on English benefices, and in connection with fees at the Roman court[3], were enormous. The whole machinery for obtaining decisions in ecclesiastical causes was permeated by Italian influence, and the great papal revenue was collected by papal merchants; apparently the tithes which the Pope claimed were gathered in kind and sold in the town markets; so that those who were opposed to the taxation were able in 1231 to obtain payment of tithes on the Pope's behalf by means of forged letters, and then to sell the goods for the public benefit[4]. The price obtained by the Pope's merchants at these sales was transmitted to Italy by bills of exchange, against which, as it appears, wool was exported. It is not likely that much was actually transmitted in specie[5]; the frequent complaints of the scarcity of coin in consequence of the papal taxation would be quite as much justified if the coin was hoarded by merchants as if *Ecclesiastical Jurisdiction.* *Appeals.* *Archdeacons.* *The Pope's merchants.*

[1] See § 32. [2] Stubbs, *Lectures on Mediæval History*, 302.

[3] Otho proposed to assign a Proctor at the court of Rome to each diocese, but it was not clear that the payment of one man would make it less necessary to fee several. Pearson, *History*, II. 143.

[4] Pearson, II. 150. Rymer, I. 203.

[5] On the whole subject of papal taxation, see Gottlob, *Aus der Camera Apostolica* and *Die päpstlichen Kreuzzugssteuern*.

A.D. 1066 —1272.

it was actually exported; this last would only be done when it was absolutely necessary.

and money lending.

If the Pope's merchants were thus able to amass large hoards of silver, they were naturally tempted to use them as the Jews did, by lending money on good security[1]; they were forced to have recourse to ingenious devices in order to obtain profit on money lent, without being technically chargeable with usury. Matthew Paris gives a most interesting document from which we discover one such method of evasion[2]. A sum of 104 marks was borrowed of certain merchants, called Caursines[3], on April 24, to be repaid in full without interest on August 1st. If however the money was not forthcoming at that date, interest at the rate of 10 per cent. every two months,—60 per cent. per annum,—besides other charges, was to begin. This interest was nominally payment for expense incurred in sending for the money again and again; and through this excuse, the various canons and enactments against taking interest were evaded. The remarks of the monk may be quoted as clearly expressing the state of feeling on the subject; the Caursines "circumvented the needy in their necessities, cloaking their usury under the show of trade, and pretending not to know that whatsoever is added to the principal is usury, under whatever name it is called. For it is manifest that their loans lie not in the path of charity, inasmuch as they do not hold out a helping hand to the poor to relieve them, but to deceive them; not to aid others in their starvation but to gratify their own covetousness; seeing that 'the motive stamps our every deed[4].'" Hence it came about that the popular indignation, which had been raised against the Jews, was diverted to expend itself on the wealthy Florentines[5].

Monasteries.

b. The Norman and Angevin reigns were marked by the foundation of a very large number of monasteries; this was the available means of devoting wealth, not only to the glory

[1] Compare the interesting case (1273) of the Abbot of Bordesley who obtained a loan in money which he tried to discharge by paying wool. *Rot. Parl.* I. 1.

[2] Mat. Paris, *Chronic. Majora*, III. p. 329.

[3] Caursines, probably derived their name from Caorsa, a town in the valley of the Po, near Piacenza. Dante, *Inferno*, XI. 49—51.

[4] Mat. Par. (Bohn) I. 2.

[5] See below, p. 288.

of God, but to the maintenance of culture and learning. The existing houses in England were mostly Benedictine; each abbey was a separate centre under the control of its own abbot, and monks had replaced the secular canons in several foundations. Under Norman influence there were many attempts to revive discipline; but the plan, which was adopted in the charter of Battle Abbey, of exempting the monks from episcopal control had baneful results. Twenty-six Benedictine Houses were planted under the two Williams; and some of the new orders were also established; the Augustinian Canons, who were favourably distinguished from some other bodies[1], appeared in the time of the Conqueror; the Cluniac (*black*), Cistercian (*white monks*), and Carthusian (*white habit but black cloak*) Orders all arose as attempts to reform the Benedictine (*black monks*) Rule, and were introduced into England under the Conqueror, Rufus, and Henry II. respectively. The white canons of Premontre were introduced in the time of Stephen; the Dominicans (*Black Friars*) and Carmelite Friars, as well as the Franciscans (*Grey Friars*), appeared in the reign of Henry III. There were besides the great military Orders; the Hospitallers (*black with a white cross*), and the Templars (*white with a red cross*)[2] so that a very large amount of the wealth of the country was in the hands of ecclesiastical corporations.

A.D. 1066–1272.

A.D. 1086.

The new Orders.

The Friars

Fiscally the results were serious, as ecclesiastical land did not contribute so largely as the land held by military tenure for purposes of war; the military Orders owed their first duty to the defence of Christendom and not as other knights to the realm[3]. And there was a difficulty about the collection of any revenue, as the houses of the Cluniac and Carthusian orders were only priories, and the ultimate control of their property rested with the Abbot at the mother houses; the Cistercians too owed allegiance to the mother house, from which each English abbey traced its descent, but this plea did not enable them to evade royal taxation in the time of Edward III.[4]

Fiscal difficulties.

[1] Giraldus, *Itin. Camb.* I. c. 3.

[2] M. E. C. Walcott, *English Minsters*, II. 11. [3] Addison, *Templars*, 237.

[4] See below, p. 275. On Edward I.'s action in 1300 compare *Greatest of Plantagenets*, 228.

A.D. 1066—1272. *Influence on industry and commerce.*

Industrially and commercially on the other hand, there was not much cause for complaint; considerable pains were taken in the management of their estates, and though they failed to adapt themselves to the changed conditions of life in the fifteenth century, and were greatly impoverished, they were perhaps less unpopular at the last than at the time when they were frequently engaged in disputes with villain tenants. There is ample evidence too that the monks devoted themselves to cultivating our staple export by pasture farming; the Cistercians who had settled in the deserted districts of the north had special opportunities for this business, but we have records which show that the Florentine wool merchants obtained supplies from all parts of the country and from houses belonging to different orders[1].

Wool.

Struggle with the towns.

The connection between the monasteries and the towns was close and not always friendly; to the Abbey the town often owed its origin; but as they increased in wealth, the townsmen wished to be freed from the control which the abbot exercised; men were everywhere inclined to resent the claims of manorial lords, and the monasteries exercised these rights in some prosperous places where the grievance was most deeply felt[2]. Again, the friars occupied large sites in prominent positions in the towns, and there were frequent and angry collisions between them and the burgesses. The struggle between the monks at Norwich[3] and the townsmen led to open warfare, and terrible destruction of life and property. Similar stories are told of outrages and riots at Bury[4], Reading[5], and elsewhere. Owing to the position of the monks, and the protection they could count upon from Rome, kings were not able to give an unfettered decision, and the burgesses had great difficulty in securing justice for themselves, or in resisting any encroachment on their chartered rights.

[1] See *Appendix D.*

[2] See the interesting document recounting the dispute at Shrewsbury about the mills, printed by the Rev. C. H. Drinkwater, *Salop Archæolog. Transactions*, 1894, 2d Ser. VI. 341.

[3] Blomefield's *Norfolk* (1739), II. 39.

[4] Yates, *History of Bury*, 121—138. Much additional information on these quarrels is given in the documents printed by Dr Gross, *Gild Merchant*, II. 29—36.

[5] Coates, *History of Reading*, 49.

V. Royal Charters.

72. Attention has already been called to the fact that there was an immense increase in the prosperity of the towns during this period. This was a noticeable feature in Europe generally, and there is abundant evidence of municipal progress in England in particular. At the same time it is exceedingly difficult to frame any satisfactory account of this most important phase of commercial and industrial development. There are analogies between the story of one town and that of another, but it is hardly possible to fix on a typical example of town life; and still more impracticable to lay down any ordinary and regular stages of municipal growth. We have ample material for describing the typical manorial estate, and for tracing the principal changes which occurred from time to time in the management of land; but each English town seems to have an individual character and biography of its own. Each town had its own physical position, with special advantages for agriculture or for trade; each had its own responsibilities to the Crown, and its own connections with ecclesiastical authorities or lay lords.

A.D. 1066 —1272.

The growth of towns.

While this is true if we speak of town life as a whole, we may yet find it possible to distinguish various elements in these rising communities. Buying and selling were frequent and habitual; we soon hear of the organisation of *gilds merchant*, while the success of enterprising men[1] gave opportunity for the coalescence of holdings, and for the growth of manorial claims and institutions on the town fields. We can also see dim traces of an ancient burgh-moot which enforced burgh custom and of burgh officials who had charge of a common purse[2]; while the burgesses were always on the alert to secure such additional powers of self-government for themselves as were exemplified in the privileges of more favoured towns.

The actual course of the changes by which any townsmen succeeded in getting the management of fiscal, economic and judicial affairs into their own hands is written in the charters of each town. The process was gradual, going on step by step, faster here, and more slowly there,

Charters granted on different occasions

[1] On changes in London compare Gomme, *Village Community*, 112.

[2] M. Bateson, *Leicester Town Records*, I. xlvii.

A.D. 1066 —1272.

according as circumstances favoured the towns, and the chances of buying their own freedom occurred; the needs of the nobles who were setting out for the East gave the opportunity of bargaining for grants of privilege; and similarly the towns were able to secure many immunities from royal interference at the times when Richard I. started for the Holy Land, and when it was necessary to raise money for his ransom. The townsmen would usually agree to pay a fixed annual rent as a commutation of dues and perquisites, and they would also have to pay a heavy fine for the charter which secured to them the privilege of making this annual payment, and so of being free from outside officials; they were often glad to make themselves more secure by paying a fine to a new king for his *inspeximus*, or confirmation of the privileges already given by his predecessors.

in each town.

The history of constitutional progress in any town is therefore the history of the particular steps by which the inhabitants secured immunity from various disabilities; the opportunities, which occurred in one case, were not available in another, or the townsmen were not wealthy enough or wise enough to seize them; hence the history of each town differs from the history of every other. But not only was there a difference in the time at which these privileges were secured, but in the persons who were concerned in granting them. In some places the king was in such direct relations with the town that his charters availed to remove all the various disabilities; but in other cases there was a manorial lord, or an abbot, who had to be satisfied for some matters, while the royal claims had to be met for others; and there were other towns, like London itself, in which there were several 'barons' each exercising a separate jurisdiction within his own ward. Until these separate jurisdictions were suppressed, it was almost impossible to have a consolidated municipal government in which all matters of trade, and police and taxation should be treated by a single recognised authority. Even in the time of Edward I. these separate jurisdictions presented such serious difficulty, that he devoted much energy to laying out and building towns in new situations[1] where the burgesses might be free from the interference of any authority

[1] See below, p. 267, n. 2.

but the Crown. It is not easy to distinguish the precise nature of the privileges which successive charters secured, but we can realise that immense advantage accrued to any urban community from unification. A.D. 1066 —1272.

73. It may be convenient to fix attention first of all on the sort of disabilities to which townsmen were exposed at the hands of manorial lords, whether clerical or lay; we may then examine those for which they were in all cases forced to seek relief from the king directly[1]. In Norwich, despite its close relations with the monastery, the royal authority was exercised immediately; it was divided into four leets, where bailiffs exercised jurisdiction as representatives of the king, whether in his seignorial or royal capacity[2]: but the similar court in Manchester was held under the authority of a feudal lord, who exercised his control till 1846; when the metropolis of the cotton manufacture entered at once on the enjoyment of a nineteenth century constitution[3], and the last vestiges of the old Court Leet disappeared. *Manorial disabilities.*

This court had been held twice in the year by the lord's steward, and all the fines and other profits arising from matters which fell within the jurisdiction of the court went to the manor. The steward summoned the court through the bailiffs, and all those who owned service were required to present themselves for the view of Frank-pledge; it thus afforded an opportunity of reviewing the available military strength as well as of inquiring into any sort of misdemeanours that had been committed. Some of these were crimes which the Leet could only present, and which must be dealt *Court Leet.*

[1] A lord might grant to a town immunities from royal rights if the king had authorised him, cf. Thurstan's charter to Beverley (Stubbs, *Select Charters*, 109). But it is not clear what right the manorial lord had, or could acquire by prescription, and for what he required distinct warrant. Maitland, *Select Pleas, Manorial*, I. lx. In the case of Manchester "the ancient royal grants to its lords included a fair, in 1222 and 1227, and free warren in 1249; but as to any grant of a Court Leet or View of Frank-pledge the public records of these early times are silent; leaving us only to conjecture that, like the weekly market and other ancient franchises of Manchester, this court was held by prescription." Harland, *Manchester Court Leet Records* (Cheetham Soc.), p. 10.

[2] On the constitution of these courts see Mr Hudson's Introduction to the *Leet Jurisdiction in the City of Norwich*, p. xxvii.

[3] The Records of the Court Leet have been published by the Cheetham Society, and more recently and completely by the Corporation.

A.D. 1066 —1272.

with and punished in other courts—such were treasons and felonies. Other matters of police fell within the jurisdiction of the Court Leet; affrays and bloodshed could be dealt with, as well as failure to follow the hue and cry against robbers, nuisance arising from the blocking of highways, the stopping of water courses, or the breaking of bridges. Besides this, the court had jurisdiction in all matters of trade; forestallers, regrators and engrossers, butchers who sold diseased meat, shoemakers, tanners and glovers who sold bad goods or dear, bakers and brewers who broke the assize, as well as those who used false weights and measures were all liable to have their cases taken and investigated in this court and might be punished by fine, or the stocks, or pillory[1]. Since the lord had rights both in the markets and the fairs, all matters connected with the wholesale and retail trade of Manchester came under his cognisance, and he received the profits of this jurisdiction. We cannot but suppose that in the case of such towns as Manchester and Sheffield, which grew into affluence under this system, the government must have been good on the whole, but the townsmen had no such security against rapacious and ignorant officers[2] as they could hope for when the right to adjudicate on such affairs lay in their own hands.

Ancient Law and Customs.

Another point was of even greater importance; if they had the right of jurisdiction they could judge according to the customs they themselves approved. We gather that in Leicester the law, which had been in use under the old lawmen, was modified in Norman times, and the townsmen were forced to settle their disputes by wager of battle. This would seem to have been a tedious proceeding, since a judicial combat which began at 6 a.m. only ended at 3 p.m., when one of the parties engaged had the misfortune to fall into a pit[3]. The whole incident and the conduct of the

[1] Kitchin, *Jurisdictions*, p. 16.

[2] Kitchin writing in 1598 says, "In some courts baron I have seen such subverting of justice by stewards, some by ignorance and wilfulness and some stewards to please their lords or for fear of losing their fee***that justice many times had no place there, to the perilous example and overthrow of estate." *Jurisdictions*, p. 9.

[3] Thompson, *Leicester*, 28.

disputants so impressed the townsmen, that they endeavoured to prevent the recurrence of a similar scandal, and agreed to pay the earl three pence for each house in the high street, on condition that the "twenty-four jurors who were in Leicester from ancient times should from that time forward discuss and decide all pleas they might have among themselves[1]." A.D. 1066—1272.

Predial services.

The history of Leicester also brings out other manorial disabilities from which the towns had suffered. Many of the burgesses owed predial services to the lord; so long as the towns were really agricultural communities this obligation was probably enforced by actual service. In Leicester it had been commuted for definite money payments, and in 1190 the burgesses were freed from these obligations by Earl Robert. "I have demised and in every way quitclaimed from me and my heirs for ever those pennies which were accustomed to be taken yearly from my burgesses of Leicester on account of reaping my corn at Leicester[2]" and other servile obligations. The history of S. Albans and other towns shows that these manorial claims were bitterly resented two centuries later; and we can understand how anxious the inhabitants of twelfth century towns would be to secure not only personal freedom from servitude, but the right of self-government in regard to matters of police and of trade. It was with a great price that many of them acquired this freedom, paid in an immediate fine and an annual rent; and the older towns were certainly at a disadvantage when compared with the towns which king Edward planted and which were free-born.

Royal claims.

74. The townsmen, like other subjects, were bound to contribute to the defence of the realm, and they had to discharge other fiscal obligations. They could not of course be freed from these responsibilities, but to men engaged in trade there were many matters of practical importance which could be adjusted by royal favour, both in regard to the rate at which their liabilities were discharged and the persons through whom they were paid.

Sheriffs.

The regular revenue from the town and the occasional

[1] Thompson, *English Municipal History*, 40.

[2] Ibid. 46.

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taxation, which might be due from it, were in the first instance collected by the sheriffs; they were practically irresponsible, and they sometimes abused their position. The *Hundred Rolls* contain a great deal of interesting evidence on this point; in Cambridgeshire there were many complaints of Roger of Estra. When the bridge over the Cam was carried away by a flood he took a tax of 2*s.* and afterwards of 6*d.* a hide on pretence that he was going to build a stone one, and then he only built a wooden one after all. It was also pointed out that he spent seven weeks in making this structure and charged exorbitantly for the use of the barge he provided in order to ferry the inhabitants across[1].

Collective responsibility.

Hence the townsmen specially valued the privileges of being recognised for themselves and their heirs as collectively responsible for the royal revenue, instead of having to pay it through a sheriff. To be free from the sheriff in any respect was a gain, and it was also an advantage to the king when no middlemen intervened in receiving the revenue. In some instances the collection of dues and taxes had been farmed to one of the inhabitants rather than to the royal officer in the shire; but it might not always be the case that any of the townsmen were such substantial men as to be deemed by the king fit for such a responsibility. When the burgesses became sufficiently rich, they were willing to be collectively and individually responsible for the payment of the annual ferm, and for the payment of arrears incurred at any subsequent time. By the establishment of a collective responsibility on the part of the burgesses the king had a responsible body with whom to deal, and he could then dispense with making any provision for collecting the various 'issues'; while the townsmen would be careful to see that no one fell into arrear. The citizens undertook to pay an annual composition for various branches of revenue and thus were made free of customs and other taxes while they levied a house rate among themselves to discharge the annual payment. Those who were at *scot* and *lot* with the other inhabitants and bore their fair share of the public burdens, were welcome to all the privileges of the place, but the greatest jealousy was felt

Scot and lot.

[1] *Rot. Hund.* I. 54, 55.

of *upland* men or *foreigners* (whether native or alien) who tried to take advantage of the town privileges in their trade, while they did not as householders contribute a fair share to meet the town payments. This feeling found expression in countless regulations to prohibit foreigners from carrying on their business in such a way as to compete with the inhabitants of that place. The statutes of the Southampton[1] Gild Merchant, which date from about 1300, are very detailed and serve as an admirable illustration of the policy which was generally pursued. A.D. 1066 —1272.

Fiscal obligations.

The question of the rate at which the townsmen should be taxed depended on two distinct considerations; it was partly resolvable into the farther question as to the terms on which their land was held, and therefore as to the occasions on which they should pay[2]. On the whole the tenants of ancient domain[3] came off most easily[4]; and hence the townsmen, like other landowners, were inclined to claim this position[5]. As far back as the time of the Confessor certain towns had been favoured, as the geld was demanded less frequently[6], and so long as occasional taxation lasted it was desirable to be placed in the status of those from whom demands were least frequently made.

Tolls.

There was also room for a great deal of adjustment in regard to the levying of dues. The townsmen undertook to give a rent annually, and claimed to be free from the duty of paying the royal tolls; they would be able to levy

[1] Gross, *Gild Merchant*, II. 214.

[2] The town of Reading had been granted to the Abbey there, and it was decided after much dispute that the Abbot might tallage the townsmen, when the king levied a tallage on his tenants. Gross, *Gild Merchant*, II. 204.

[3] The villains of ancient domain were a class, who appear to have preserved, under special circumstances, the more favourable conditions of the pre-Norman times. Vinogradoff, *Villainage in England*, 92.

[4] So in 1306 of those who held land within a royal forest. "If any of them that be disafforested by the purlieu would rather be within the forest as they were before, than to be out of the forest as they be now, it pleaseth the king very well that they shall be received thereunto, so that they may remain in their ancient estate, and shall have common and other easement, as well as they had before." *Ordinance of Forest*. 33 Ed. I.

[5] On the other hand cases of claiming not to be of ancient domain and therefore not to be tallaged are given by Madox, *Firma Burgi*, 5.

[6] Exeter only paid geld when London, York and Winchester paid. *Domesday*, III. 80.

A.D. 1066 —1272. octroi duties for the use of the town and defray their payments to the crown by the house rate. They would gain greatly as their trade increased; but they might also have considerable privileges in regard to paying tolls in other parts of the kingdom[1]. In the time of Henry I. the men of Beverley and of York were free from tolls throughout Yorkshire[2]: the men of London and all their goods were free throughout England and the ports of the sea, of toll and passage and lastage and all other customs[3]. The history of A.D. 1519. the Cinque Ports affords an instance of the assertion of this right in the time of Henry VIII. They had been free to buy and sell from the time of Edward I., that is to say, not only free from the obligation of paying dues at their own homes, but free from the obligation of paying them anywhere in the kingdom. A merchant who exercised this privilege with regard to some wool in Blackwell Hall[4] was forced to defend his rights in the matter, and the Cinque Ports established their position as free towns. As in other cases, this freedom meant that they had got rid of restrictions on their business, by undertaking some definite payment or obligation. In the case of the Cinque Ports they were specially bound to supply shipping for the defence of the realm[5].

Exclusiveness of the towns. We need not wonder that the towns were jealous of any infraction of these dearly-bought privileges[6], whether by unworthy burgesses, royal charters or unwarranted encroachments[7]. The burgess of a town which had obtained this full freedom both from royal and manorial control would have to make considerable payments towards the sum which was annually due to the crown, or the occasional taxes which were taken; but he would be assessed by his neighbours, and in this right he would find some protection from the sheriff who extorted money in the king's name and then

[1] On the procedure for enforcing this right see Sharpe, *Calendar of Letters*, vi. In Davies, *History of Southampton*, 229, there is a list of all the towns which could legitimately claim this privilege.

[2] Stubbs, *Select Charters*, 110.

[3] Ibid. 108.

[4] Jeake, *Charters*, 8, note 1.

[5] Ibid. 25.

[6] They are clearly summarised in the case of Cambridge, *Rot. Hund.* II. 391.

[7] See the curious complaint of episcopal encroachments at Winchester. The bishop attracted the burellars to his own quarter, and his tenants were as free to buy and sell as the members of the gild merchant. *Archæological Journal*, VII. 375.

applied it to his own uses. The new mode of levying the payments was less expensive because it was more direct: the burgess was at scot and lot and paid on his tenement; it was through his residence and the payments it involved that he earned the privileges he enjoyed. The whole policy of the towns, as we read it in their records, shows us how jealous they were of upland men and unfree men[1] who tried to enjoy the privileges of a burgess while they did not pay for them; and the strong measures which they took against those who connived at the cheat thus practised on their neighbours. The subsequent history of the towns and of the struggles against alien workmen in the fifteenth century, as well as against the new centres of industry which began to rival them in the sixteenth, only become intelligible when we keep the nature of municipal privileges and the cost of securing them carefully in view. A.D. 1066—1272.

75. When attention has thus been given to the different matters in regard to which the townsmen desired to be free from outside interference, it remains for us to notice the steps which they took in organising self-government for themselves. *Their organisation.*

In the charters of Henry I. leave is given to many towns to form a hanse or *gild merchant*; in some cases this may have been the mere revival of the *cnighten gilds*, such as had existed in pre-Norman times in Winchester[2], Canterbury and London[3]; thus in the charter to Dunwich we read that the townsmen were to have their gild merchant with a hanse and other customs and liberties pertaining to that gild[4]. But in many of the towns which were springing up in the twelfth century, there could have been no such forerunner of the later institution, and we find that they were granted a gild merchant with all the liberties and customs which are wont and ought to pertain to a gild merchant[5]. The questions *Gilds merchant.* A.D. 1215. A.D. 1204.

[1] *Scottish Burgh Laws*, 5, 7, 88.

[2] Gross, *Gilda Mercatoria*, p. 24. Chenictehalla ubi chenictes potabant gildam suam. *Domesday*, III. 531, 533. This phrase is illustrated by the later ordinances of Winchester. Kant len purvoit bevere gilde markande, len doit per commun assent par les mesters de la vile enquere genz ke convenable soient et de bone fame a requiller en gilde markande. Gross, *Gild Merchant*, II. 256.

[3] Unwin, *Gilds of London*, 23. Round, *Ancient Charters* (Pipe Roll Society), 25. For legendary history and other evidence connected with this gild, see Stevens, *Abbeys*, II. 84; also *Rot. Hund.* I. 413.

[4] *Rot. Cart.* 211.

[5] Derby, *Rot. Cart.* 138.

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as to the origin and character of these gilds are closely connected with the constitutional history of our towns[1]; it is obvious that gilds merchant were bodies of great economic importance, but it is difficult to make out what precise part they played, and the exact nature of the practical influence they exerted. We are, however, on fairly firm ground in saying that the gilds merchant were not capitalistic, were not identical with the town, and did not exercise civil jurisdiction.

Regulation and immunity

The object of these associations appears to have been the regulation of trade. Free tenants of all sorts had indeed the right to buy and sell victuals in all English towns without paying toll[2], but the members of the gild obtained a similar freedom in regard to goods of every kind; and as they paid for the privilege[3] they were careful to secure it for themselves exclusively. This exclusive right of dealing is what strikes one most forcibly in all the documents connected with gilds; none but members were to buy and sell, or at any rate the gild had such supervision over all buying and selling, that those who infringed their privileges were liable to be fined by the gild[4]. The right at Chester included freedom to elect their own reeve; members of the gild might buy merchandise coming to the town either by land or sea, but non-members could only do so by permission[5]; those who obtained the necessary licence were known as *censers* or *tensers*[6], and there were unfree traders of various grades. But while the privileges of the townsmen and their gild were thus exclusive, they were also inclusive; the members of the gild had a right to claim to have a part with another

Exclusive rights.

Privileges

[1] The charter of Edward I. to the Cinque Ports refers to charters of several kings from Edward the Confessor onwards granting liberty for their 'mercatum,' though if the barons failed to do justice there was an appeal to the warden. Jeake, *Charters of Cinque Ports*, 23. This may imply that they had a continuous self-government for commercial affairs from before the time of the Conquest. The mention in *Domesday* of a Gildhalla at Dover is interesting, though of course not in any way conclusive, as the Gildhalla may have belonged to a social and religious gild which had no mercantile functions. Gross, *Gilda Mercatoria*, 73.

[2] *Rot. Hund.* I. 356.

[3] Gross, *Antiquary*, 1885. *Rot. Oblatis*, 17, 19, 111, 223. Madox, *Exchequer*, 273.

[4] Gross, *Gild Merchant*, I. 44.

[5] *Mamecestre* (Cheetham Society).

[6] Hibbert, *Influence of Gilds*, p. 146.

member in a successful bargain[1]. If he fell into poverty A.D. 1066 he might count on their aid[2], and if he was imprisoned[3], —1272. or even unjustly accused[4] they would assist him. Through membership in a gild merchant the trader obtained a status which was recognised outside the limits of his own town; and each body of burgesses sought to obtain a 'most favoured gild' clause, and to have its members put on the same footing for purposes of trade, as those who carried on business to the most advantage. In many cases the inhabitants of the town and the members of the gild were practically coextensive bodies[5], and the gild merchant included artisans as well as traders; but Dr Gross has pointed out instances where the townsmen were not all members of the gild, and others where non-burgesses were members of the gild merchant; aliens might also be received into the full citizenship of a town, and thus be naturalised. When all Flemings were arrested in London, a certain Christin A.D. 1311. Lewebrere was imprisoned with the others, but the king ordered his discharge as he was claimed by the men of Lynn as their comburgensis[6].

These gilds had courts in which such trade offences as refusing to share a bargain with a gildsman[7], or engaging in colourable transactions with strangers, might be punished; but it appears that mercantile business was more usually transacted in the ordinary burgh courts, in which questions connected with

[1] No one was to have lot or scot with the burgesses in merchandise bought by themselves or by others, in the town of Chesterfield, but the burgesses; but the burgesses themselves and their servants should have scot and lot with all the rest, according to the ancient custom. *Records of Chesterfield*, p. 36. This right of *yarel* is frequently mentioned in the customs of the Scotch municipalities, which present interesting analogies. *Statuta Gildæ*, cc. 27, 41, 48. *Burgh Laws of Scotland*, 76, 83, 86. See also Worcester, *English Gilds*, 210. Sandwich, cf. Lyon, *Dover*, II. 299. Romney, op. cit. II. 333. Rye, op. cit. II. 366. Southampton, Gross, *Gild Merchant*, II. 219.

[2] *Statuta Gildæ*, c. 14, op. cit. p. 70. [3] *Southampton*, c. 11, Davies, 140.

[4] *Statuta Gildæ*, c. 15, op. cit. p. 70.

[5] The membership of gilds merchant was at any rate large; compare Totnes in 1260, *Hist. MSS. Com.* III. 342; artisans as well as merchants were included in these gilds. Thompson, *Leicester*, 54. See also the early gild rolls of Shrewsbury, printed by the Rev. C. H. Drinkwater in the *Salop Archæol. Trans.* 2d Ser. II. 29 (1890), and *Royal Hist. Soc. Trans.* (1895).

[6] "Et in scoto et loto cum predictis majore et communitate tamquam liber burgensis ejusdem villæ existit et in eadem villa natus fuit." Delpit, *Collection*, XCV.

[7] Bateson, *Leicester Borough Records*, I. xxxiii.

A.D. 1066 —1272. *Recovery of debts,*

the terms of payment, and the recovery of debts could usually be settled[1]. When the gild increased in power and overshadowed the burgh authorities, it is not always possible to distinguish the precise capacity in which action was taken, and the later statutes of the Southampton Gild require that the Alderman should inquire into the ability o the members to meet their debts or serve as surety[2]. So long however as the gild merchant can be distinguished as merely an element in the municipal life, the main legal business appears to have been done by the ordinary courts, and the town itself (*communitas*) was the organ by which payments to or from the merchant of another place might be adjusted; it was by suing the community that the creditor could reach a defaulting debtor at a distance. Though membership of the gild was not necessary to enable the burgess to recover a debt from another town[3], it is probable that the fact that he was admitted within this body, gave any townsman a better commercial status[4]. He had a wealthy body behind him, so that he was a person of credit; his promise to pay, or his warrant for goods was worth more than that of the merchant who stood alone on his personal reputation for honesty, and whether he visited a distant town or a fair he could claim to be regarded as a person of status, who could give a sufficient reference in connection with all transactions in which he was concerned.

through the gilds merchant.

When these two privileges, freedom from toll and the possession of commercial status, are taken together, we see

[1] The citizens of Chester had acquittances, releases, recognisances and their appurtenances and a pendice (court house) in which to hear them (Harland, *Mamecestre*, I. 190); those of Bristol were entitled to have all pleas about debts held in the town according to the custom of the town.

[2] Gross, *Gild Merchant*, II. 219 (27).

[3] The recognised process is described in detail in the Romney Custumal. Lyon, *Dover*, II. 338. See also letters from Yarmouth, Blomefield, *Norfolk*, XI. 343. In whatever way it was managed under different circumstances, the providing a satisfactory machinery for the recovery of debts was a prime necessity for the growth of commerce at this time. The statute of Acton Burnel, like the Burgh Laws of Ipswich, shows the provision that was made in England for foreigners. The Mayor of the Staple also entered recognisances of debt.

[4] In Dublin the members of the merchant gild were bound to settle their disputes by arbitration among themselves, and also to maintain a brother's cause if he was sued in another court. Gross, *Gild Merchant*, II. 65, Helston, Ibid. II. 108.

what a valuable right the townsmen obtained when they were allowed to have a hanse[1], but there were direct advantages which accrued from belonging to such a trading association; they were by combination able to secure better terms[2], each member was able to share in the fortunate transactions of others or of the whole body[3], and they could count on getting assistance in case of misfortune[4]. There can be no wonder that the gild merchant was a widely diffused institution. Dr Gross gives a list of more than 150 towns in England and Wales, and most of them appear to have acquired the privilege in the twelfth or thirteenth centuries. A.D. 1066 —1272.

76. He has also worked out some very interesting facts as to the filial relation between various towns[5], from which we can gather the importance men attached to the privilege of living under good customs[6], as well as to that of freedom from tolls. The latter lay of course in the king's power, but the transmission of bodies of customs depended on the will of those who already enjoyed them, and the men of Hereford were not inclined to grant them gratuitously to townsmen who were only of servile condition[7]. The bond which bound the new *Affiliation,*

[1] Dr Gross explains that this term is used in three senses in England, (1) a gild, (2) the entrance fee, (3) a mercantile exaction. Giry describes two distinct institutions at S. Omer; the *gild*, which comprised both merchants and artisans (*Histoire de la Ville de S. Omer*, 281), and the *hanse*, which was exclusively commercial and enjoyed a monopoly of commerce between the town and England. (Ibid. 282, 413.)

[2] See Dublin, A.D. 1452. Gross, *Gild Merchant*, II. 67.

[3] Liverpool, 1565. Gross, *Gild Merchant*, II. 118.

[4] Coventry, 1340. Gross, *Gild Merchant*, II. 50; Lynn, op. cit. II. 161. Southampton, c. 22, op. cit. II. 218.

[5] On the *Affiliation of Mediæval Boroughs* in *The Antiquary* for 1885.

[6] The men of Derby offered King John sixty marks for a charter like that of Nottingham, and the men of Gloucester not less than two hundred marks for the customs, laws and liberties of Winchester (*Antiquary*, 1885, p. 14). See also the case of John Gray, Bishop of Norwich. Quia dominus Rex nobis per cartam suam concessit ut eligeremus Burgum in Anglia quemcumque vellemus, ut eadem libertates quas Burgus ille habet, haberet et villa nostra de Len' et nos eligimus Oxenefordiam. Mackerell, *King's Lynn*, 248.

[7] "The kings cittizens of Hereford who have the custodye of his citty (in regard that it is the principall cittye of all the market townes from the sea even unto the boundes of the Seaverne) ought of ancient usage to deliver theire lawes and customes to such townes when need requires, yet in this case they are in noe wise bound to do it, because they say they are not of the same condition; for there are some townes which hould of our Lord the Kinge of England and his heires without

A.D. 1066—1272. *and derived customs.*

town to the parent from which its privileges were derived was so far recognised that advice was sought at the fountain head in disputes about any of the customs. Some towns on the Continent appear to have had coercive jurisdiction over those which were derived from them, but in England the appeal seems to have been merely consultative[1]. The Oxford men were to judge on recondite points at Bedford[2], while they themselves obtained information from London as to the mode of holding pleas of land in the Husting[3]. It thus came about that while the history of each English town is distinct from that of others, the commercial law and practice of English towns in the twelfth and thirteenth centuries may be divided into two or three distinct types. The custom of London obtained over a very large area[4], and was still more widely transmitted through Bristol and Oxford; but its largest expansion took place from Winchester, as the custom of this city was not only current in the South West, but through transmission to Newcastle, in Northumberland and Scotland. Smaller groups were attached to the custom of York, and of the Cinque Ports, while the influence of Breteuil

any mesne Lord; and to such we are bound, when and as often as need shall be, to certifie of our lawes and customes, chiefly because we hold by one and the same tenure; and nothing shall be taken of them in the name of a reward, except only by our common towne clerke, for the wryting and his paynes as they can agree. But there are other markett townes which hold of diverse lords of the kingdome, wherein are both natives and rusticks of auncient tyme, who paie to their lords corporall services of diverse kinds, with other services which are not used among us, and who may be expelled out of those townes by theire lords, and may not inhabit in them or be restored to theire former state, but by the common law of England. And chiefly those, and others that hold by such forreine services in such townes, are not of our condition; neither shall they have our lawes and customes but by way of purchase, to be performed to our capitall bailiff as they can agree between them, at the pleasure and to the benefitt of the citty aforesaid." They gave a certificate of certain of their customs to Denbigh and Haverford West (Duncumb, *Hereford*, I. 336), as well as to Cardiff (Ibid. I. 338) when fines were paid.

[1] The case of the Cinque Ports and Great Yarmouth is exceptional; as the Yarmouth men did not derive their customs, but their very existence from the ports. Their town grew up on the site of the herring fair over which the Barons of the ports had jurisdiction. Blomefield, *Norfolk* (Parkin), IX. 297. Jeake, 12.

[2] *Placita de quo warranto*, p. 17.

[3] *Liber Albus*, I. 181—4. For another case see Sharpe, *Wills*, p. vi. *Letters*, No. 198.

[4] An interesting survival of the old municipal mode of government occurs in 1390, when the Commons prayed that the Custom of the City of London about usury might have statutable force through the realm. *Rot. Parl.* III. 280, No. 24.

is specially noticeable on the borders of Wales[1]. The charters, which granted a gild merchant, not only gave valuable privileges to particular towns, but aided effectually in diffusing a similar body of commercial law. The history of each town is distinct and the steps by which it obtained its freedom were somewhat different in each case, but the privileges they obtained were very similar; and each town, which secured a gild merchant, obtained a place in the circle of inter-municipal commerce. A.D. 1066 —1272.

77. It is by no means easy however to state in general terms the bearing of the establishment of a gild merchant on the growth of other constitutional privileges. It is of course clear that when a body of men were recognised as competent to regulate all matters of trade, they might more easily be trusted with the ordinary police of the town; the members of the gild merchant too would include the wealthy townsmen and those who were best able to undertake fiscal responsibility. Indirectly therefore the gild merchant may well have been an important factor in securing self-government in regard to petty offences, and self-assessment for the royal revenue; but the precise relations of any one gild merchant to the burgh authority in the same town cannot be so easily stated, though it appears that in most English towns in the fourteenth and fifteenth century, the gild merchant had come to be almost entirely merged in the municipality and the Gild Hall was used as the Town Hall. *Municipal constitution and gilds merchant.*

The coalescence of these distinct authorities was probably due to some change in economic conditions, but the memory of the distinction was preserved even after the bodies had been practically merged into one. At Reading[2] and at Carlisle the name 'gild merchant' was long used to designate the whole body of craft gilds and companies; and thus the evidence of its latest survivals, as well as in regard to its origin, seems to preclude the common opinion that the English Gild merchant was an association of merchants in the modern sense of the term, or was either indifferent or hostile to the interests of artisans. In other cases the existence of a class of non-burgesses, who were free to trade, *Nominal and ideal survival.*

[1] M. Bateson, *Laws of Breteuil* in *English Historical Review*, xv. 74.

[2] Gross, *Gild Merchant*, i. 118.

A.D. 1066 —1272.

kept the idea[1] of a gild merchant alive. At Shrewsbury there was a considerable class of *censers*, who were not free of the town, but who paid an annual rent (*census*) for the privilege of being allowed to trade[2]; and a similar class is mentioned in Worcester, Chester, Canterbury and many other towns. There were also inhabitants in thirteenth century towns, like the Jews and the Flemish weavers, who held directly from the Crown and were outside municipal and gild privileges. Town liberties and gild privileges were distinct and were not always acquired simultaneously[3]; in Leicester, where the gild merchant was in existence long before the townsmen obtained the Firma Burgi or were free from predial service, the records enable us to see the differences between the gild and the burgh organisation, as well as their gradual coalescence, with remarkable clearness[4]. The case of London is most curious of all; that there had once been a gild merchant is possible and gilds merchant were found in towns that derived their customs from London; but there is little clear trace of a gild merchant in the great centre of English commerce[5].

Yarmouth.

In other places the town grew up under the mercantile protection; this was specially the case at Yarmouth, where the Cinque Ports had managed the herring fair, and a town had gradually gathered beside the site where this great annual fair was held[6]. Even when this town had obtained complete municipal privileges—on the model of those of Oxford—the bailiffs of the Cinque Ports still took their part along with the men of Yarmouth in managing the fair.

The precise relation in which the gild merchant stood towards the municipal constitution is a problem to be investi-

[1] Hibbert, *Gilds*, 18.

[2] Mr Hibbert has investigated the position of these tradesmen, *op. cit.* 145.

[3] When Ipswich received a royal charter one of the first steps taken was that of forming a gild merchant. Merewether and Stephens, *Boroughs*, I. 391.

[4] Compare Miss Bateson's introduction to the *Leicester Town Records*.

[5] A solitary mention has been found by Mr C. G. Crump in a charter of 1252 (*Eng. Hist. Review*, 1903, XVIII. 315), but it cannot be regarded as conclusive. See also Unwin, *Gilds of London*, 60. Compare p. 219 above.

[6] As in the case of S. Ives. Maitland, *Select Pleas, Manorial*, I. 131.

gated separately in each single case; it was generally an important factor, but not always equally important. There are many distinct elements which are combined in each of the complex groups which we call a town. London was not improbably a combination of hundreds, and Norwich of Leets; while others were more like an aggregation of separate manors. The mere analysis of the surviving officers[1] shows how complex each separate structure was; in some the agricultural element is strong; in some the old royal officer, the portreeve, maintained his position as head, through many changes[2]; in some a manorial officer, the bailiff, continued to hold sway; in others we find a constitution of a Norman type, or at least with Norman nomenclature, in which the mayor, who was an elected official[3], held the reins of government. The example of London tended in favour of the diffusion of this magisterial system; and there were great advantages in securing one governing body for the whole of a town, though in the case of Norwich the new constitution appears to have been more oligarchical than the separate Leet Jurisdictions which were superseded in the fourteenth century[4]. None of these official designations suggest the gild merchant as a prime element, the officials of which took over the administration of the town; but there are cases where an Alderman was at the head of affairs and he may be a representative of the important contribution made by gilds merchant to the progress of the towns, though this is at least uncertain[5]; but whether they left any permanent mark on official nomenclature or not, they certainly contributed in no small degree to

A.D. 1066 —1272. *Town officials.*

Mayors.

[1] Gomme, *Index of Municipal Offices.*

[2] In the free town of Hull, the King's Warden was chief officer (Tickell's *Hull*, p. 11).

[3] In the 18th year of Henry III. the citizens of Lynn complained that the Bishop of Norwich had excommunicated them because they had created a mayor among themselves, and had taxed and tallaged themselves in the said burgh without his assent, and it was agreed between them in the said court that the bishop should grant for himself and his successors and his church of Norwich, that the said burgesses for the future may choose and create to themselves a mayor, whomsoever they pleased of their own body, to be presented to the bishop and admitted by him. Blomefield, *Norfolk* (Parkin), VIII. 490.

[4] Hudson, *Leet Jurisdiction of Norwich*, lxxi.

[5] Gross, *Gilda Mercatoria*, 72.

A.D. 1066 —1272. *Self-government.*

the development of municipal constitutions. It may be worth while to add a couple of instances which serve to illustrate the manner in which the towns exercised their new powers of self-government.

Wooden houses and fires.

There was an adequate reason for the vast amount of building which took place in the twelfth century, as wooden structures were so easily destroyed by fire; and it was specially desirable to substitute stone for timber houses in towns where the closely compacted dwellings rendered it easy for a fire to spread rapidly. At the same time the work of building could hardly have proceeded so rapidly as it did both in town and country if England had not been prospering economically. London had suffered greatly from a fire in the reign of Stephen which destroyed the Cathedral Church and spread from the Bridge as far as the Fleet; some persons then began to build in stone, and it was found that their houses not only served to protect themselves, but to stay the progress of any conflagration. In 1181 the citizens met and agreed on an Assize[1] which should both give facilities to those who wished to build, and might also appease "the contentions which sometimes arise among neighbours about boundaries made or to be made between their lands, so that such disputes might be settled according to that which was then provided and ordained." All sorts of points about boundary walls, with gutters for drainage and cesspools were decided, as well as matters that might give rise to dispute where one man owned a wall and his neighbour's buildings rested on corbels in that wall. The work did not proceed with such rapidity however as to prevent the outbreak of another fire on the 2nd of July 1212, by which London Bridge and very many of the houses of the nobles, as well as a large number of men and women, were destroyed. The citizens met shortly afterwards and passed several ordinances for allaying disputes and purifying the city, as well as for protecting it against fire, 'with the help of God.' Besides containing other points of interest this document gives us an early instance of fixing a maximum for the wage of builders[2]; and it is instructive

[1] *Liber de Antiquis Legibus* (Camden Soc.). Turner, *Domestic Architecture*, pp. 17, 275.

[2] Turner, *Domestic Architecture*, 281.

to compare the arrangements with the statute which was passed after the great fire in the time of Charles II.[1] A.D. 1066—1272. A.D. 1666.

The other duty of self-assessment was carried out by the burgesses of Colchester when they were called upon to pay their quota towards the seventh which was granted in 1295 to King Edward, as an aid for his war lately commenced against his enemies and the rebellious in France. With this object, sworn assessment was made by twelve burgesses of Colchester of the goods and chattels of every one who lived within the precincts. The inventory which was then made shows that Colchester had not yet emerged from the agricultural condition; there are comparatively few artisans or merchants, and their stock in trade was very small. A coal merchant had goods worth £6. 3*s.* 4*d.*; two tanners were reckoned at £7. 8*s.* 10*d.* and £8. 1*s.* 4*d.*, a pepperer at 14*s.* 4*d.*, a glove-maker at 30*s.* The tanning trade seems to have been the most common of all industries, but it is evident that a very large number of the inhabitants were engaged in tillage[2]. *Self-assessment.*

Some light is thrown on the manner in which the taxes were levied from the citizens, by the Winchester customs[3] which have been so much quoted, as well as by an early London[4] agreement. Three thousand marks is taken as the usual quota for the county of Middlesex, and the proportion to be paid by different men, according to their wealth, is worked out, with a considerable desire to be fair, but not without difficulty in regard to the arithmetic[5] of vulgar fractions.

VI. Royal, Municipal and Manorial Economy.

78. In the preceding sections it has been necessary to insist over and over again on the differences which marked out each town and each estate from every other. The manor *The manors*

[1] 18 & 19 Charles II. c. 8

[2] *Rot. Parl.* I. 228; see also 243.

[3] *Archæological Journal*, IX. 73.

[4] Brit. Mus. *Add.* 14,252. See *Appendix C.*

[5] Mediæval calculating was done with the help of an abacus. Ball, *Mathematics in Cambridge*, p. 2.

A.D. 1066 —1272.

was an economic unit, organised by itself; so too was each town. There was doubtless a common type, such as is given by the *Rectitudines*, or in the often quoted manor of East Greenwich, and other manors resembled this type more or less closely; from the legal decisions of the thirteenth century judges it is possible to draw a doctrine as to the rights and disabilities of villains generally. There was a body of customs in London, which many other towns adopted, but each was an independent, separately organised, and separately administered body. The threads which bound them all together were their common relations to the Crown, relations which were most clearly defined by proceedings in the Exchequer. The granting of charters with increased privileges is marked by fines, and annual payments to the Exchequer; the stock on the manors and the moveables of the people were scheduled so that the owners might pay their taxes; the rights of the various tenants were questioned that the occasions and terms of payment might be properly known; and thus the whole details of the position and transactions of the various subjects are reflected in the records of the Exchequer. This is the way in which they become known to us, and it is from rolls originally drawn up with reference to fiscal obligations that by far the largest body of evidence in regard to manorial industry and municipal commerce has come down to us.

and proceedings in the Exchequer.

The influence of the Exchequer was all pervading, and we have full information as to the manner in which it was organised. A long series of royal accounts[1] has been preserved, and we also possess an explanatory treatise on the subject. The *Dialogus de Scaccario* is not only an interesting description of the method by which business was done, but it is a valuable account of the 'political economy' of the time.

Dialogus de Scaccario.

The dialogue is usually, and with much probability, ascribed to Richard Bishop of London, who, as treasurer, was intimately acquainted with the working of the Exchequer; and it is pervaded by a fine sense of the responsibility of the duties in which he and his colleagues were engaged

Official duty

[1] H. Hall, *Formula Book*, Part II. 91.

in administering the royal revenue. The royal riches, as he asserts, served to support the royal dignity, and the power of princes was raised by abundance and suffered by the want of it. This was specially the case in warfare, but attention to revenue was equally necessary for the maintenance of government in time of peace, the building of churches and the relief of the poor. Work of such importance as this, and which bore so directly on the maintenance of the civil power ordained by God, was, as the author maintains, no unfitting occupation for ecclesiastics. The personal responsibility of kings to God for the manner in which they exercised their office was generally recognised in mediæval writings on political subjects[1], but the author passes on to insist on the necessity of care and trustworthiness on the part of the royal subordinates also; skill and probity were needed in every department of the work. A.D. 1066—1272.

Here as in other matters we may feel a striking contrast between the ideal depicted and the actual practice of the royal officers of whose extortion we so often read; but after all, it is well worth while to cherish a high ideal, and those who fail to do so will never attain to an exalted standard of actual conduct. At all events it is characteristic of the time that finance should be treated as an important department of work to be honestly done out of a sense of duty, and not merely regarded from the point of view of expediency as to the convenience of raising and collecting the revenue in one way or in another. *In finance.*

As a matter of practice, a movement was steadily taking place in favour of having all obligations discharged in terms of money, and of rendering the money payments as definite as might be. The commutation of predial service for money on the royal estates, and of actual service for scutage, rendered public burdens less inconvenient and less 'expensive' to the subjects and more profitable to the Crown; by the substitution of fixed fines and regular customs for arbitrary dues and prises, they were made less 'uncertain.'

[1] It was fully recognised by James I. (*Trew Law*, Works, p. 209) that the king was responsible to God for the good of the people committed to him; in arguing that he was not responsible to the people, he makes no claim to arbitrary authority. For the change in opinion on this point see Lilly, *Century*, ch. I.

A.D. 1066 —1272.

Practical changes were being made in accordance with Adam Smith's maxims, but the principles were not as yet thought out and formulated. The chief matter of importance, in the mind of the writer of the *Dialogus*, was to explain a system by which payments legally due to the Crown might be collected with as little malversation as possible. He propounds no scheme for developing the resources of the realm, or increasing its power, or the well-being of the subjects; such ultimate objects lie beyond the scope of his work, because they lay beyond the purview of the men of his time; not till Edward had consolidated the realm was it possible to frame an economic policy. The *Dialogus* is simply concerned with the work of administration, and only alludes to the underlying political objects with the view of showing how necessary it was that the administration should be upright and skilful.

How to check malversation.

At the same time it is evident that the work which was thus described and discussed was worth doing well; it was a great thing to devise a good system of accounts for the finances of the realm. No one in the present day is likely to underrate the importance of keeping accurate accounts in business of every kind, if for nothing else, as the chief means of removing temptations to dishonesty on the part of subordinates. Agriculture was much the most important industry in England, but so far as we know landowners did not attempt to keep accurate accounts in the eleventh century, and it was not till the thirteenth century that the practice became general. The organisation of the Exchequer was not only a reform in the management of royal finance, for it also gave an example of a mode of keeping accounts which was gradually copied by corporations and individuals for their own private affairs.

Accounts.

Manorial documents.

79. From records that have been preserved it would appear that in the ordinary manorial estate there were documents of three different kinds which were regularly kept. In so far as these have survived in regard to any manor, we are able to reconstruct for that estate a curiously complete picture, which is clear in its main outlines and accurate in the principal details; and we may be able to follow the

changes that took place among the tenantry with perfect certainty. A.D. 1066 —1272.

Extenta. The *Extenta* or Survey of the Manor was the recorded result of a verdict given by a body of jurors chosen from among the tenants. This contained an account of the whole condition of the estate, the buildings belonging to it, the fields and stock on the domain, the pasturage, the amount of wood and the profits of the waste, the mills, fisheries and so forth. It also enumerated the free tenants and stated the terms of their tenure; the villains and cottagers, and their services[1], as well as the patronage and other incidental rights belonging to the manor. Great portions of the *Hundred Rolls* practically consist of collections of such surveys; and the *Domesday Book* is a collection of abstracts of the sort of information in regard to each estate, which was subsequently embodied in the Extent. It served as a great inventory of the manor and all that belonged to it or was attached to it, so that it enabled the landowner to see at once what his revenue in each year ought to be, or what item had fallen short. The *Hundred Rolls* show us that at the end of this period, the process of substituting money payments for actual service had begun, though it was not common[2]. From the printed Extents in these Rolls it appears that at the end of the thirteenth century there were three different classes of tenants; those who had commuted all their services for a definite money rent[3]; those who paid either actual service or gave the value of the service in money according as the lord preferred[4]; and those who still performed their

[1] It is to be inquired also of customary tenants that is to wit how many there be, and how much land every of them holdeth, what works and customs he doth, and what the works and customs of every tenant be worth yearly, and how much rent of assize be paid yearly besides the works and customs, and which of them may be taxed at the will of the lord and which not.

It is also to be inquired of cottagers that is to say what cottages and curtilages they hold, and by what service, and how much they do pay by the year for all their cottages and curtilages. *Extenta Manerii* in the *Statutes of the Realm*, usually assigned to 4 Ed. I. It is practically embodied in *Fleta*, II. 79, in connection with the duties of the Seneschallus. It forms the basis of Fitzherbert's *Surveying* which was published in 1523 and takes the form of a commentary on the separate clauses of this statute.

[2] Page, *End of Villainage in England*, 39.

[3] Reddens pro omnibus operationibus et serviciis quæ antecessores sui facere solebant. *Rot. Hund.* II. 636.

[4] Debet XXS. vel opera ad valorem. *Rot. Hund.* II. 324.

A.D. 1066 —1272.

obligations, either in whole or in part, in the form of actual service[1]. The intermediate class, whose services were valued in money, would undoubtedly be often called to pay in money; for when an accurate method of keeping accounts was once devised, it was far easier to collect the manorial dues once for all in coin than to ensure that the various services, of week work and boon work, and the various payments of seed, fowls or eggs, were properly discharged.

However the obligations were discharged, it was desirable that the lord should know what his estate with its stock was worth; and this information, recorded in writing, is given in the Extent[2]. The Domesday entries, which may be taken as early and previously unwritten Extents, embrace details about the goods and stock, which would in the thirteenth century have been found, not in the Extent, but in the *Inventory*; this enumerates the pigs and the poultry, as well as the kitchen and dairy utensils[3], and the furniture of the Hall[4]. In the Cambridge University Library[5] there is a tract giving instructions as to the taking of such an inventory, and containing a sort of schedule of the things which would have

Inventories.

[1] In some cases where the services are specified they are also estimated in terms of money. Et dictæ precariæ &c. appreciantur ad xvd. *Rot. Hund.* II. 494. Some light is thrown on these entries by information which Prof. Maitland has derived from the rolls of Cambridgeshire manors. The Wilburton Series is very complete, and shows that in the time of Edward II. it was the practice to sell a considerable number of the 'opera' in each year to persons who were bound to do them, but the number of 'opera vendita' varies from year to year and rarely if ever exceeds half of the total number of 'opera' that are due; the reeve and bailiff had to account for the 'opera' not 'vendita,' and show they were actually done. On the other hand there are instances of villains paying fines in order to live at regular money rents; the following entry from 16 Ed. II. is typical of many others. Johannes Albin de Littleport fecit finem cum domino pro omnibus operibus suis et arruris prevenientibus de j plena terra (i.e. 12 acres) et de duabus dimidiis terris que tenet de bondagio domini ita tamen quod ipse reddet omnem redditum assisum et non dabit gallinam, nec erit in serviciis domini et pro ista arrentacione dat domino per annum xxx solidos.

[2] It is obvious however that the main elements in the Extent would be matter of common knowledge, which might be perpetuated by tradition for generations without being reduced to writing. This occurred in some parts of the Deccan where the collectors of the Land Revenue held hereditary posts and collected the Nizam's income by hereditary knowledge of the quota due from different persons. Sir Salar Jung, suspecting some of these men of dishonesty, replaced them by strangers, to the serious loss of the revenue as the new men had no knowledge, and could not obtain any, of the obligations in the way of land revenue under which the different parties were living: this is a present-day instance of an unwritten Extent.

[3] Andrews, *Old English Manor*, 266. [4] *Ib.*, 112. [5] *Dd.* vii. 6.

to be entered, in a typical manor; it is in a fourteenth century hand-writing, and does not give us an impression of a very sumptuous household, even though the Hall contained various tressels for putting up tables and "unum scaccarium cum familia." We may say that the later Extents and Inventories, taken together, are the fully developed forms of the brief summaries of the value of estates which we find in *Domesday Book*. They are not mere estimates, but record the actual condition of the whole live and dead stock on the estate, together with all the pecuniary rights which the lord enjoyed, so as to give the component parts of what we should in modern times call the lord's capital. A.D. 1066 — 1272.

Ministers' accounts.

The annual income which accrued from the estate may be seen by examining the accounts (*compotus*). The practice of balancing the accounts annually was probably of immemorial antiquity on the continent, and can be traced in England in the twelfth century[1]. An immense amount of information as to the method of audit adopted by a great proprietor, who had many separate estates, may be obtained by an examination of the enrolments of the ministers' accounts which were prepared for the Bishops of Winchester. The proximity of the officials of the royal exchequer would be likely to modify and improve the practice of the episcopal clerks in compiling these accounts[2]; but other clerks would be glad of guidance in the matter, and it is interesting to see what pains were taken to diffuse skill in this particular branch of estate management.

Book-keeping.

In the Cambridge University Library there are two interesting forms for bailiffs' accounts, with brief remarks on the way in which they should be kept; so far as the substance goes they are practically identical, but they are distinct. One, which dates from the time of Edward I.[3], has special reference to the audit; it is intended to help the lord to understand the accounts presented, and tells him to insist on seeing all the tallies and letters of quittance produced. The other[4] is meant to assist the bailiff in writing the accounts, and tells him in what order

[1] Hall, *Red Book of the Exchequer*, II. p. cclxxvii.

[2] Hall, *The Pipe Roll of the Bishopric of Winchester*, p. x.

[3] *Ee.* i. 1.

[4] *Dd.* vii. 6.

A.D. 1066 —1272.

the various items should be entered; it gives him a choice of two alternative modes of entering the horses; and the copyist confesses that by a stupid blunder he has entered the heifers in the wrong place. It also points out that certain headings should be inscribed in the margin; and of course concludes with the form of quittance by which the accounts were passed.

Services.

There must have been many matters which were not necessarily passed through the accounts at all; where villains rendered actual service this did not always appear. The bailiff had to get the men to do the work; if they failed to do it, the præpositus, their own official, had to see to the matter, as they were collectively responsible to the lord for work and for rents[1]; but *opera* would not necessarily pass through the accounts of money, though the actual services are often accounted for on the back of the roll. At the same time there are in many compotus rolls incidental allusions which indicate that, when they were compiled, actual services were being exacted. The entries of *opera vendita* show us the sums received for commutation in that year, but this form of entry seems to imply that it was only a temporary arrangement and not a regular rent[2]. In some cases the bailiff accounts in the last entry on the back of the roll for the services which were not *vendita* that year, and shows that the full balance had been rendered[3]. In other instances the accounts of the corn used prove that the customary tenants did their work and received their rations, even when there is no other hint of actual service; and in others there are incidental memoranda which allude to the matter[4].

Court Rolls.

The third important series of documents consists of the *Court Rolls*, which give us the records of the proceedings in the manorial courts, and enable us to follow the history of the tenantry; we can trace changes in the persons who

[1] See *Appendix B.*

[2] Compare Compotus Roll, Symondshide, Herts (1326), British Museum Add. Charters, 28,737.

[3] Mapledurham (1440), British Museum Add. Charters, 27,656. Wilsford, Hampshire (1447), British Museum Add. Charters, 27,679.

[4] Chedyngston Common (1476), British Museum Add. Charters, 27,312.

occupied the different holdings, and changes in the terms at which they lived. The Court Leet generally had the view of Frank-pledge and was called upon to inquire into many matters of crime and police[1]; the chief interest for economic matters, however, lies in the fact that these courts enforced fair dealing, as in regard to the assize of bread, and weights and measures. The records of manorial courts also note that new tenants were admitted, and the desertion of villains was recorded. These rolls furnish evidence of a very valuable character in regard to the population of each village and are of special importance in trying to estimate the effect of the Black Death. A.D. 1066 —1272.

80. From the consideration of the nature of the books on the estate, we may pass to the question of the officials who administered it. The business of a manor was very elaborate and a great deal of supervision was necessary in order to ensure good management; but if an estate consisted of several manors, on which different customs were in vogue, as to measures, weights and so forth, the whole affair became far more complicated. The various officers on a large estate consisting of many manors are described in a tract entitled *Senescalcia*[2]. This inculcates a high ideal of duty from the lord and each of his subordinates, and it is not perhaps fanciful to urge that in the plan the author has adopted, of describing the working of a manorial estate by enumerating the duties of the various officers, there is a sort of reminiscence of the *Dialogus de Scaccario*. The Seneschal, Bailiff and Præpositus are treated at considerable length; the Seneschal was to visit the manors in turn and see that the bailiff of each estate did his duty; he had therefore to know the 'extent' and the customs of each estate, so as to be able to overhaul the management. He acted on behalf of the lord, but he had to show the special warrant of the lord in removing a bailiff or exercising his authority. The bailiff as the lord's officer, and the præpositus as that of the villains, had the chief responsibility in the actual cultivation of the soil; the hay- *Manorial officers.* *Senescalcia.*

[1] View of Frank-pledge in *Statutes of Realm* assigned to 17 Ed. II. See also Kitchin, *Jurisdictions*.

[2] Printed in Miss Lamond's edition of *Walter of Henley*, p. 83.

A.D. 1066—1272.

ward was a subordinate officer, who was always present to superintend whatever work was going on; and the respective duties of the carters, ploughman, swineherd, shepherd, cowherd and dairymaid need not detain us.

Treatises on estate-management.

81. The working of this complicated mechanism is admirably exemplified in the records which survive in regard to the management of the manor of Forncett[1] in Norfolk. Further light is thrown on the matter by three treatises which deal with English[2] estate-management; one of these is associated with the name of Sir Walter of Henley, another with that of Robert Grossteste, but the author of the third is unknown.

Walter of Henley.

Of Sir Walter of Henley nothing is known beyond the statement in a Cambridge MS. that he was originally a 'chevalier' and afterwards became a Dominican Friar[3]; there can be little doubt that he wrote in the thirteenth century. Internal evidence goes to show that he was a very shrewd individual, and the quaint English and French proverbs which he was fond of quoting give point to his remarks. His book takes the form of advice, given by an old man to his grandson, as to prudence in the management of affairs; it is by little and little that people become rich, and by little and little they fall into poverty, and hence it was important for the lord to know all about his estate himself. His treatise is entitled *Husbandry*, or as the Merton MS. adds *Economy*, husbanding his resources; but as tillage was the main means of income, it is also a treatise on farming both arable and pasture. Written in French it seems to have been an extraordinarily popular work and deservedly so; a number of MSS. still survive[4]; the work was translated both into

[1] F. G. Davenport, *Economic development of a Norfolk manor*, 20—48.

[2] The system was doubtless of Roman origin, and an excellent example of careful administration was set by Gregory the Great. In his letters about the Sicilian estates he discusses details of every kind, from the treatment of the peasants to the management of a herd of cattle (*Epist.* I. 44 and II. 32 in Migne LXXVII.). There is little trace on the continent of mediæval writing on agriculture, though *Petrus de Crescentiis* (1300) compiled a dictionary entitled *Opus ruralium commodorum*. The estates of great nobles in England were so scattered that systematic management was specially requisite.

[3] *Ibid.* vii. 5.

[4] On the MSS. of these treatises see the Introduction to Miss Lamond's edition of *Walter of Henley*; together with some additions and corrections in the *Royal Hist. Soc. Transactions* (N.S. IX. 215).

English[1] and Latin[2] in the latter part of the fourteenth century. It appears to have held its ground as the best book on the subject till Fitzherbert published the results of his forty years experience as a practical farmer in 1523. It was obviously intended to convey such information on rural affairs that the lord should be able to exercise a more effective supervision over his servants, and see that they did not cheat him. In some points it is hardly so full as an anonymous treatise on *Husbandry*[3] which was probably written about the same time or somewhat earlier, and which must have been specially useful to landowners who were beginning to have accounts presented in writing. It lays down the method to be pursued in drawing up the account; this was to be done by a clerk; at the beginning comes a statement of the bailiff's arrears from past years; then the receipts are to be entered, rents of assize and other things which yield money, and the total is to be given; next comes the outlay in money on materials and all necessaries not found on the estate, and the payment of all work which could be neither begged nor commanded. The treatise then proceeds to lay down rules by which the outlay on the estate for materials and labour may be as small as possible; none are to be paid for unless it is necessary, but estimates are given to form a guide in cases where the resources of the estate and the labour of the tenants did not suffice, so that money had to be paid; there are also other estimates of the probable returns from land and stock. A.D. 1066—1272. *Husbandry.*

The third of these treatises has an interest of its own, as it is the work of a well-known author, and it contains information as to the circumstances under which it was compiled. It is less detailed than the work of Walter of Henley but it embraces many topics on which he did not touch. The treatise entitled the *Reules Seynt Robert* was written by Grossteste for a particular person, the countess of Lincoln, and consists of 28 practical maxims to guide her in the management not only of her estate but also of her house- *Grossteste.*

[1] London, Brit. Mus., *Sloane* MS. 686; Camb. Univ. Library, unique copy printed by Wynkyn de Worde; the translation was mistakenly attributed to Grossteste.

[2] Oxford, Bodleian, *Digby*, 147.

[3] Printed in Miss Lamond's edition of *Walter of Henley*, p. 59.

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hold. Margaret, Countess of Lincoln, was left a widow in 1240, and had the manors of 'Ingoldemers, Throseby, Houton and Seggebrock' assigned by the king for her maintenance, until her dowry out of her late husband's land should be set forth. In 1242 she consoled herself, and found a natural protector for her property, by marrying Walter Marshall, Earl of Pembroke. Grossteste's rules must have been written therefore in 1240 or 1241; he was probably a friend of some standing, as he had been Archdeacon of Chester when her first husband was constable of Chester, and her uncle Ranulph was in possession of the Earldom[1].

As the treatise was written for a lady, directions for the cultivation of the ground and the maintenance of live-stock were not thought necessary, and supervision on these matters was left to the seneschal. The countess was not however to trust everything to him entirely. She was to know what her estates were worth and what income they could yield so that she might arrange her expenses according to that income. The rules are most detailed on points of domestic organisation, and most of them are concerned with the household rather than the estate. As "the good Bishop" holds up his own establishment as a model, we have in the treatise an interesting picture of the arrangement and management of a large establishment in the middle ages.

Household.

The rules lay down that servants and retainers are to be of good character, faithful, painstaking and so forth, they are to do what they are bid immediately without any grumbling or contradiction; if they show any such disloyal spirit they must be dismissed, for many can be had to fill their places. The household is to be quiet and orderly, and guests secular or religious are to be courteously received and served. The regulations of meals, even to the setting of the dishes and the way the servants are to walk when they approach the table, are minute, but they have more bearing on questions of etiquette than of economy.

82. Where the *Rules* treat of domestic economy however they become not only curious but instructive. They date from a time when rural life was very much more

[1] Pegge, *Life of Grossteste*, 95.

important, relatively to town life, than it is in the present day; the great households were very notable social institutions and schools of manners if not of learning; the resources and labour of large stretches of the country were consciously organised and controlled with reference to their needs. As has been pointed out to me by Miss L. Toulmin Smith, these *Rules* lay down principles which are illustrated in many particulars by the specimens of contemporary household accounts which have come down to us. A.D. 1066—1272.

The most striking contrast with our own time arises from the fact that the great households were continually on tour. After Michaelmas, when the accounts and estimates of the produce on each estate had come in, the programme of the next year's residence would be arranged[1]. We can thus see that economic conditions compelled the kings and great men to be constantly travelling through the country with their establishments. It was easier to move the household than to convey the produce to any one estate; and this practice must be borne in mind when we notice the extreme discomfort of thirteenth century residences. A noble did not require any permanent home, but was forced to be content with providing travellers' shelters for his household at different points, where he could take up temporary residence for a longer or shorter period. At intermediate stages he might be able to quarter himself and his retinue in one of the religious houses; they were much aggrieved that they were so liable to have one or another of the great lords, who were so constantly on tour, as unwelcome guests[2]. These great monastic establishments were permanent residences and would have need to draw *Households on tour.*

[1] "Every year at Michaelmas, when you know the measure of all your corn, "then arrange your sojourn for the whole of that year, and for how many weeks "in each place, according to the seasons of the year, and the advantages of the "country in flesh and in fish; and do not in any wise burden by debt or long resi- "dence the places where you sojourn, but so arrange your sojourns that the place "at your departure shall not remain in debt, but something may remain on the "manor, whereby the manor can raise money from increase of stock, and especially "cows and sheep, until your stock acquits your wines, robes, wax and all your "wardrobe; and that will be in a short time if you hold and act after this treatise, "as you can see plainly in this way. The wool of a thousand sheep in good pasture "ought to yield fifty marks a year, &c." *Rules of S. Robert*, XXVI. in *Walter of Henley*, p. 145.

[2] See below, p. 276, n. 3.

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supplies to a common centre, but their officials had occasionally to go on visits to the outlying estates[1].

This habit of keeping the household in frequent motion is abundantly illustrated by the accounts of Bishop Swinfield; the editor has given a brief calendar of the principal halts for the greater part of a year, by noting the places and the payments which were made for the episcopal washing[2]. This cannot be regarded as a heavy item of expense, but the local distribution is instructive; and the same point is exemplified in the Wardrobe Accounts of Edward I. for 1297[3], and in the journeys of Eleanor, Countess of Leicester, during the disturbed year 1265[4]. The gradual changes, which took place in subsequent centuries, enabled the lords to let their land for money, instead of farming their estates for the sake of the subsistence of their households. And when a money system was introduced and the lords purchased the provisions they required, there was no longer need for such frequent changes. The beautiful mansions of the Tudor times mark the commencement of a new era, when it was possible for a great landowner to live a settled life in one particular home. The *Earl of Northumberland's Household Book* (1512) gives us an insight into the period of transition[5]; on the one hand it describes in detail the great house which had been erected at Leconfield[6], while on the other it details all the arrangements for the removal of the household,—with the hangings, beds, and other furniture[7]—in seventeen carriages 'beside the chariot.' The duties of superintending these removals, and of defraying the daily

Money Economy.

[1] When the Prior of Holy Trinity, Dublin, visited the Manor of Balscaddan in 1337, he was able to obtain sufficient supplies in store on some days, but wine had to be sent on in advance, and the provisions were often supplemented by purchases. *Account Roll of Holy Trinity, Dublin*, edited by J. Mills.

[2] *Roll of Household Expenses* (Camden Soc.), Abstract, p. xxxix.

[3] *Liber Quotidianus*, edited by Topham for the Society of Antiquaries, p. lxvii. Compare also Hartshorne's *Itinerary of Edward II.*, and Eyton's *Henry II.*

[4] *Manners and Household Expenses* (Roxburgh Club, 1841), p. xxvii.

[5] On the other hand *Lord William Howard's Household Book* (1612—40) seems to show that he was habitually resident at Naworth. (Surtees Soc.) On the expenses and furniture of country gentlemen under Elizabeth see Walcott in *Shropshire Archæological Transactions* (1878) 1.

[6] *Household Book of Henry Algernon Percy, fifth Earl of Northumberland*, edited by Thomas Percy, Bishop of Dromore, p. 377.

[7] Ib. p. 386.

expenses at each residence, were subsequently divided[1], but at first they all lay, in the case of the Royal household, with the Treasurer of the Wardrobe; and the details, to which he had to attend in the thirteenth century, are carefully enumerated by the compiler of *Fleta*[2]. A.D. 1066 —1272.

Supplies.

The special objects towards which the economy of each estate was directed were in accordance with the migratory habits of the households; it was necessary at Michaelmas to make a careful estimate of the supplies available on each estate[3]. "Command your seneschal that every year at "Michaelmas he cause all the stacks of each kind of corn, "within the grange and without, to be valued by faithful, "prudent and capable men, how many quarters there may "be, and then how many quarters will be taken for seed "and servants on the land, and then of the whole amount "and of what remains over and above the land and the "servants, set the sum in writing, and according to that "assign the expenses of your household in bread and in "ale; also see how many quarters of corn you will spend "in a week in dispensable bread, how much in alms." The food that was over and above at meals was distributed in alms[4], and a more liberal supply on the table went to increase the daily alms. In addition to what was given as broken meat, the royal munificence to the poor was very great, but not apparently very discriminating; hundreds of paupers appear to have been maintained or relieved by

Alms.

[1] Compare the ordinances for the Duke of Clarence with the list of officers of the riding household and standing household respectively. *Collection of Ordinances and Regulations* (Society of Antiquaries, 1790), pp. 99, 100. For this and many other references I am indebted to Miss L. T. Smith, and her excellent Introduction to *The Earl of Derby's Expeditions*, Camden Soc. 1894.

[2] *Fleta*, edited by Selden, II. c. 14. The *Liber Quotidianus* of Edward I. should be compared with this chapter.

[3] *Walter of Henley*, p. 127.

[4] Baskets and buckets were provided for this purpose. Thus in the *Derby Expeditions* (Camden Soc.) 183, "Item Johanni Peck pro ij boket emptis apud Dansk pro elemosinis domini, v s. pr." Miss L. Toulmin Smith refers me to a similar entry in the *Finchale Accounts* (Surtees Society), p. cxviii, "Item j skepe pro elemosyna," and also to the ordinance for the Almoner in Clarence's Ordinances (*Collection of Ordinances*, p. 89), "And that the said Almoner at every dinner and supper, wait upon the said Duke's table, and there take up every dish when the said Duke hath set it from him, and thereof to make sufficiently the alms dish, to be given to the most needy man or woman by his discretion."

A D. 1066 —1272. Edward I. in accordance with ancient custom[1], while there were also large donations of private alms[2]. On the whole, however, the household of the thirteenth century was organised on the basis of natural economy: the requirements of the establishment were reckoned and the generosity of the proprietor found expression, not in money, but in food[3].

Purchases. Even in the thirteenth century, however, some necessaries had to be purchased, and money was also needed to procure any luxuries that had come into use. Wine and rich clothing were the chief of these luxuries[4]. Robert Grossteste recommended that the necessary purchases should be made at two seasons[5], "that is to say, your wines, and "your wax and your wardrobe, at the fair of S. Botolph, "what you shall spend in Lindsey, and in Norfolk, and "in the Vale of Belvoir, and in the country of Caver-"sham, and in that at Southampton for Winchester, and "Somerset at Bristol: your robes purchase at S. Ives." Bristol was the centre from which Swinfield procured a large supply of wine[6]; though he also had vineyards of his own, and made frequent small purchases as well. Besides silks and finer articles of dress, cloth was bought in considerable quantities for the liveries of the household[7]. Hence a certain amount of money was needed in order to keep the establishment going; and the produce of the pastures was, even at this early period, the source to which the landowner could look for an article to sell so as to provide himself with money. Grossteste gives a rough estimate of the income to be derived from a flock of sheep; but the profit from dairy and cattle farming could not be so precisely estimated, though 'much money' could be had for cheese[8].

Payments Money also seems to have been needed for the payment of artisans of every kind; there appears to have been com-

[1] *Liber Quotidianus*, p. xxviii.

[2] Works of charity also figure largely in the *Household Books of John Duke of Norfolk* (1481—1490), (Roxburgh Club, 1844). He spent considerable sums in aiding the education of youths at Cambridge, p. xxvi.

[3] Compare the *Compotus* (1300) and *Redditus* (1283) in the *Domesday of S. Paul's*, pp. 160 and 164*.

[4] *Liber Quotidianus*, p. xlvii.

[5] *Walter of Henley*, p. 145.

[6] *Household Expenses of Swinfield*, p. xliv.

[7] Ib. p. xxxvi.

[8] *Walter of Henley*, p. 145.

paratively little industrial life in the household itself. There was a tailor[1] as part of the royal establishment, and he received board wages, when he was living in London, away from court and at his own expense. Of all kinds of skilled labour, tailoring is the most likely to maintain its character as a household occupation; and the migratory character of the households would militate against the organisation in England of large workshops, like the *ergastula* of Roman times. Swinfield seems to have had his own farrier[2], and Robert Grossteste recognises resident craftsmen as part of an establishment. But there is frequent mention in the accounts of payments for artisan work of different kinds; they do not convey the impression that the organisation of the household, for industrial purposes, was very complete[3]. A.D. 1066—1272.

83. It is perhaps a sign of the times that, while there is so much remark on estate management and household arrangements, there are, so far as I have seen, no special treatises on the right management of municipal affairs, such as those which were compiled for the use of thirteenth century landowners and their bailiffs; mediæval ideas of political right and political duty are excellently reflected in the *Dialogus*, and in a fourteenth century treatise on money by Nicholas Oresme[4]. The *Opusculum de regimine principum*, attributed to S. Thomas Aquinas, contains a few remarks on the choice of a situation for a city and the respective advantages of agriculture and commerce as sources of supply: he refers to the *Politics*, but disparages mercantile life in a way that recalls Plato[5] rather than Aristotle[6]. In any case the remarks of Aquinas are somewhat *doctrinaire*[7]— *Municipal economy.*

[1] *Liber Quotidianus*, p. 55. Cissor, a cutter; compare the 'Cissor robarum domini,' Miss L. T. Smith's Introduction to *Derby Expeditions*, p. xcv, but he was possibly a shearman engaged in finishing the cloth; see *Swinfield's Expenses*, Abstract, p. xxxviii.

[2] *Swinfield's Expenses* (Roll), 27.

[3] It is possible that the *corps de métiers* abroad were developed out of the great households, Giry, *S. Omer*, 280. Nitzsch traces the development of town government in Strassburg, Cologne, &c. from the Court organisation of Charles the Great. *Ministerialität und Bürgerthum* 203.

[4] See below, p. 355. [5] *Laws*, IV. 1. [6] *Politics*, IV. (VII.), 6.

[7] See especially the remarks on the planting of cities, *Opusc. de reg. princ.* II. 3.

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an attempt at adapting ancient authors, rather than a genuine expression of the spirit of the age in which he lived, when so many towns were springing up as centres of commerce. The thirteenth century was a period when large areas were being laid out with new streets, which formed additions to old towns, while in other places new towns were being deliberately planted. The single street, and the confined market-place of a town that had grown up in the period before the Conquest, offer a striking contrast to the large market-places which were opened up in Bury, Peterborough, Cambridge and Boston; and the arrangement of the building lots[1] and streets[2] in these new quarters, shows that the areas were carefully and exactly laid out. Not a few towns were founded during this century and the plans were carefully designed by royal and ecclesiastical authorities. Edward I. laid out many free towns[3]; Salisbury was transferred bodily to a new site, where a more ample water supply was available, and St Andrews was planned by the bishop, who induced immigrants from Berwick to come and organise the activities of the new town[4]. The very plans of these cities afford evidence of the deliberate care which was taken to supervise and foster the expansion of towns, while the remains of Guildhalls and of Town-houses are interesting testimony to the development of trading activity and municipal authority.

Planting of new urban areas.

Municipal Records.

From the masses of records which survive in different towns it is possible to form some idea of the relations between the various elements in municipal life; and we can also gather information as to the policy which the townsmen

[1] This did not necessarily imply that all houses were of the same size. There were some in Cambridge provided with yards and wide entrances, while others had access to the back yard by a mere internal passage. These passages were sometimes left as public ways outside the houses, as we see them in the Yarmouth rows.

[2] The principal types are best seen in continental examples. The square blocks into which Carcassonne was divided have analogies in such towns as Salisbury and Winchelsea, and the careful arrangement of an oblong town, with three principal streets, which we find at Montpazier, re-appears at St Andrews. See Cunningham, *The corrupt following of Hippodamus of Miletus at Cambridge*, in *Camb. Ant. Soc. Trans.*

[3] On the towns in his continental possessions, see below, p. 267, n. 2.

[4] Scott, *Berwick*, 6.

pursued, and the nature of the business which had to be done. After all, the affairs which demanded attention were similar in a town like Leicester, where the Gild Merchant seems to have been abnormally developed[1], and in one like Manchester, where a manorial Court Leet regulated the everyday doings of the townsmen. In so far as we have insight to interpret the records aright, and to understand the occasion and objects of the orders they issued, we may get a singularly accurate knowledge of much of the daily life in particular cities. A.D. 1066 —1272.

Communal prosperity.

There is in one respect a very marked contrast between the thirteenth century and modern times, as the conception of national aims was so little developed. So far as the burgh authorities had an economic policy, they desired to promote *communal* prosperity; national prosperity was beyond their purview, individual prosperity was only of interest to them, in their official capacity, as it subserved the prosperity of the town. Their economic regulation was chiefly intended to develop the trade of the burgesses so that they might be able to pay their dues; in this respect their schemes of policy were narrower than those of the mercantilists, who aimed at the development of national resources, and less personal than those of modern writers, who urge that it is practically wise to allow to each individual the greatest possible scope for accumulating wealth. But because the communal interest comes to the front, we need not idealise the characters of the merchants of the day, and suppose that they were entirely guided in all their transactions by impersonal sentiments.

Fair dealing.

So far as the affairs of individual workers or dealers came before municipal courts, the authorities tried to do what was fair between man and man; and in burgh customs we find the record of their practical wisdom and experience. They had not necessarily a very high ideal of Christian duty, and the gilds merchant do not appear to have developed much religious or philanthropic activity[2]; but they felt that 'honour-

[1] Bateson, *Leicester Borough Records*, I. x.

[2] There were some exceptions, however, see p. 408 below. On the extent and character of the provision for lepers see R. M. Clay, *Medieval Hospitals*, 36—39.

A.D. 1066 —1272.

able thing was convenable' for the men of the town, and they tried to enforce what was fair as to a day's work and a day's pay, and to secure that transactions should be conducted on *reasonable* terms,—that the buyer should pay a reasonable sum for an article on which the seller made a reasonable profit. But we must again remember that, though the courts and their customs embodied this view, it was not necessarily the line taken by each individual tradesman. The mediæval craftsman would scamp his work, and the mediæval merchant try to pass off inferior articles at high prices; but we only hear of him when he was found out. The ordinances of gilds and regulations of towns set a standard to which the honest citizen would wish to conform, so that he might hold an honourable place in the town; the rules would thus affect personal morality favourably. But if all men had lived up to a high ideal, and done their work in the best way from mere love of it, there would have been no need of either craft gilds or ordinances to keep them up to the mark.

There are several distinct types of document which amply illustrate the current practice of the municipal courts.

Assessment.

i. With reference to the discharge of communal obligations to the Crown, we have a scheme for the assessment of the citizens in London, when the king took three thousand marks from the county of Middlesex[1], and various inventories of goods which were made in connection with a levy of a fifteenth or tenth on moveables. But we have also records of the struggle to prevent foreigners (whether aliens or not) from competing injuriously with the burgesses. Reference has already been made on this point to London customs which purport to date from the reign of Edward the Confessor; and the same policy continued through the middle ages till the Tudor time, when this exclusive municipal life was absorbed in the wider economy of the nation. Foreigners

Competition of 'foreigners.'

The Scotch burghs were more careful to protect the towns against infection from leprosy than to provide, as a body, for the maintenance of the lepers. The leper who persisted in entering the town was to have his clothes burnt, and to be "thrust forth naked." *Statuta Gilde*, c. 18. *Burgh Laws of Scotland*, p. 72.

In several towns careful arrangements were made for the protection of orphans and their property; London (Sharpe, *Wills*, XLVI.), Dover (Lyon, *Dover*, II. 276), Sandwich (Ibid. II. 305).

[1] *Appendix C.*

were not to sell by retail, and they were not to sell goods to one another, because such business could be done by burgesses; and those who paid rates believed they were fairly entitled to be protected from injurious competition in their regular callings. Still more strongly did they reprehend the conduct of the burgess who was disloyal to his own town, and entered into arrangements with foreigners, which made for his private profit and that of an unfree partner, but were opposed, in spirit at all events, to the policy pursued by the town authorities in the interest of the community under their charge. A.D. 1066—1272.

Facilities for foreign merchants.

At the same time the townsmen were fully aware that they would prosper better if their burgh was frequented by foreign merchants, who used it as a centre for wholesale import trade and purchased products for export. With this object they provided the stranger with facilities for recovering his debts; and the letters which passed between different towns gave rise to a very elaborate system of inter-municipal communication in regard to debts[1]. We are also able to learn something of the means by which these debts were discharged; letters of credit were in common use, and bills of exchange passed between the Italian bankers and their correspondents, in the thirteenth century. Just as we have found that the twelfth and thirteenth centuries were marked by improvements in the keeping of accounts, and that the practice was introduced on many estates, so we may say that the same period gives us early examples of the use of instruments of credit[2]. The debts due to Gascon merchants by Londoners were registered[3]; and on one occasion the city was used by Edward I. to conduct a great fiscal operation and to pay to knights in Gascony the sum of £1049. 13*s.* 11*d.*[4], for which the citizens were reimbursed by the sheriff out of the ferms of the city and the county of Middlesex. A.D. 1299.

ii. In the attempt to do the fair thing between man and man, many regulations were framed on matters which we now allow to take their own course. At the same time there

[1] Sharpe, *Calendar of Letters from Mayor of London*, No. 1, 4, 7 &c.

[2] For specimens see E. A. Bond in *Archæologia*, XXVIII. 207—320. Endemann, *Studien*, I. 82.

[3] Delpit, *Collection*, No. XVIII.

[4] Ibid. No. LVI.

A.D. 1066 —1272. *Reasonable rates.*

is an obvious advantage in thinking out the fair price and settling it, where this can be done. There is a distinct advantage in having an authoritative tariff as to the reasonable cab fare, and the maintenance of regulations in regard to those vehicles does not in all probability interfere with the prosperity of the trade; so long as the regulations are wise, they subserve the comfort of the public and the good of the trade. In the circumstances of mediæval commerce, when there were comparatively slight fluctuations in the conditions for the supply of manufactured goods, and labour was such a very important element in the cost of production, it was almost as easy to frame similar regulations for reasonable transaction in trades of all sorts, as it is to fix rates for cab-hire in the present day.

Corn.

There were of course varieties of season, and the food-supply was naturally drawn from a comparatively limited area, so that a local scarcity would affect prices more than it does in the present day. From the time of the Black Death onwards frequent efforts were made to regulate the prices of produce, but, even when these were determined by competition[1], pains were taken to ensure that this competition should be public, and that there should be no attempts to make a profit by speculative transactions or by creating an artificial scarcity. Common folk had a strong suspicion that the man who was able to secure a monopoly by engrossing or by buying up the available supply of any article, would retail on terms that were to his own profit but not to the advantage of the community. But when the price of corn had adjusted itself by 'the higgling of the market,' a sliding scale could be used to adjust the price of bread, so that the baker might recoup his expenses and get a fair profit, while the public would be supplied at rates which were not excessive. This sliding scale was known as the Assize of Bread; it was certainly framed in the time of Henry II., but this need not have been the first attempt at formulating it.

Wages.

When the price of food was thus known it was possible and 'reasonable' to assign rates of wages; in the time of Henry II. wages were apparently intended to vary along with the price of bread, from the time of Edward III. till

[1] See below, p. 542.

Elizabeth parliament fixed a maximum rate, and under Richard II. the justices were empowered to fix the rates, so long as the maximum was not exceeded. Under Elizabeth the maximum was abolished and the justices were enjoined to see that the labourer had sufficient wages. When the whole attempt was finally abandoned at the beginning of the present century, the crying necessity was the enactment of a minimum rate below which wages should not be allowed to fall[1]; but it was generally feared that the attempt to enforce such a standard was impracticable, and that if successful it would so limit the field of employment as to cause increased misery.

A.D. 1066–1272.

A.D. 1813.

84. The municipal courts enforced what was fair as a matter of policy; but there was another authority which dealt with what was right and wrong as a matter of Christian duty. The discipline of penance, and the canons which were enforced in the ecclesiastical courts were framed, not with reference to burghal prosperity, but in the hope of detecting and suppressing the greed of gain. In earlier times there had been very sweeping condemnations which would have included almost every kind of trading[2]: but it was obviously impossible to enforce such prohibitions. Even though it might be admitted that the merchant's life was one of many temptations, since there were so many opportunities of fraud, it by no means followed that he always yielded to them. The difficulty became more pressing in the twelfth and thirteenth centuries, when trade was generally extending; and if the evils were really to be met, it could only be done by finding the inner grounds[3] of the prohibition, and applying it equitably according to the different circumstances of different cases. The question of buying and selling was one of the greatest practical importance, and deserves consideration first of all: and we find that in the thirteenth century

Christian duty.

[1] *Parliamentary History*, xxxiv. 1428.

[2] Quicunque tempore messis vel vindemiæ non necessitate, sed propter cupiditatem comparet annonam vel vinum, verbi gratia de duobus denariis comparet modium unum, et servat, usque dum vendatur denariis quatuor, aut sex, aut amplius, hoc turpe merum dicimus. *Codex Juris Canonici*, c. 9, C. 14, q. 4. See also c. 1, C. 14, q. 3, and c. 3, C. 14, q. 3.

[3] Neumann, *Geschichte des Wuchers*, p. 15.

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reflection had gone so far on this matter that it had been possible to formulate a doctrine of price.

Object of the modern and mediæval doctrines contrasted.

Modern theory assumes that in buying and selling each man will do what is most to his own private advantage, and thus explains how the prices of different classes of goods tend to be determined on this assumption: it merely attempts to give an explanation of actual practice. The mediæval doctrine of price was not a theory intended to explain the phenomena of society, but it was laid down as the basis of rules which should control the conduct of society and of individuals. At the same time current opinion seems to have been so fully formed in accordance with it that a brief examination of the doctrine of a just price will serve to set the practice of the day in clearer light.

In regard to other matters it is difficult to determine how far public opinion was swayed by practical experience, and how far it was really moulded by Christian teaching—this is the case in regard to usury. But there can be little doubt about the doctrine of price; the whole conception of a just price appears to be purely Christian[1]; according to Professor Ashley, who has written an admirable exposition of the whole subject, it is unknown to the Civil Law[2], and had as little place in Jewish habits as it has in modern society; but it really underlies a great deal of commercial and gild regulation and it is constantly implied in the early legislation on mercantile affairs.

Aquinas.

S. Thomas Aquinas, whose treatment of the subject is classical, assumed that everything has a just price,—that there is some amount of money for which it is right that the owner of the ware should exchange it. He does not discuss the conditions on which this depends; as it is of more practical importance that we should understand how the just price of anything is to be known. The just price is not an arbitrary demand; as an extortionate dealer may obtain an absurd price when he sees that he can drive a hard bargain; or a man in need may be willing to part with some heirloom

[1] Though partly based on Aristotle, *Ethics*, v., and *Politics*, i. 10. See S. Thomas, *Summæ*, 2*a*, 2*æ*, q. 77 a, 1, 4.

[2] Ashley, *Economic History*, 132.

for a mere trifle: for in the one case there is unfair gain, in the other a real sacrifice. The just price is known by the common estimation of what the thing is worth; it is known by public opinion as to what it is right to give for that article, under ordinary circumstances. A.D. 1066–1272 *Common estimation.*

So far we have a parallel with modern doctrine; the mediæval 'just price' was an abstract conception of what is right under ordinary circumstances,—it was admittedly vague, but it was interpreted by common estimation. Modern doctrine starts with a 'normal' value which is 'natural' in a regime of free competition; this too is a purely abstract conception, and in order to apply it we must look at common estimation as it is shown in the prices actually paid over a period when there was no disturbing cause.

Common estimation is thus the exponent of the natural or normal or just price according to either the mediæval or the modern view; but whereas we rely on the 'higgling of the market' as the means of bringing out what is the common estimate of any object, mediæval economists believed that it was possible to bring common estimation into operation beforehand, and by the consultation of experts to calculate out what was the right price. If 'common estimation' was thus organised, either by the town authorities or gilds or parliament, it was possible to determine beforehand what the price should be and to lay down a rule to this effect; in modern times we can only look back on the competition prices and say by reflection what the common estimation has been.

It was of course felt that this mode of detecting the just price was not very precise, and indeed that it was not possible to determine the just price of any article absolutely. The obvious fact that the seasons varied made it clear that the price of food could not be fixed once for all; still, men thought that it was desirable to settle prices as much as possible, so as to leave less room for arbitrary demands and unreasonable rates. The real question is not whether prices can be definitely fixed, but how far they can be fixed at any given time. Even in the present day certain economists contend that it is possible to settle authoritatively the relation of exchange *Regulated prices.*

A.D. 1066 —1272.

between gold and silver; for barristers' and doctors' fees, as well as for railway and cab fares, there is a fixed and definite tariff; and if it is possible to carry out the scheme of determinate prices so far in the twentieth century, we may be sure that there was very little difficulty about including a large range of articles in the thirteenth. At the same time S. Thomas Aquinas would have admitted that the just price could not be so definitely settled that it was a positive duty to take that and no other; all that could be done was to point out things that must be avoided and that were unjust. The conception of a just price was used not as a positive guide, but as a negative test which might assist men to avoid what was wrong.

Variations in price.

Prices assigned by common estimation would sometimes be high and sometimes low according as an article was plentiful or not; the just price varied from time to time for such commodities. Nor was it unjust for a man to sell an article for more than he had paid for it as its just price, if there had been a change of circumstances,—such a change of time or place that he deserved remuneration for some trouble in connection with transport or for other service rendered. But it was unjust to try to get an arbitrary price; that is, to try to form a ring, or to speculate on the possibilities of the future in such a way as to be able to demand an extortionate price. If we allowed ourselves to be guilty of the anachronism of trying to summarise mediæval doctrine in modern terms, we should say that they thought it unjust to sell without conscious reference to what is now called the cost of production. It was impossible for them to give a positive justification for the profit of the man who bought to sell again; all that moralists could say was that under certain circumstances it was not wrong to do so, and practical men kept a suspicious eye on the dealings of middlemen.

Forms of bargain and motives of conduct.

The practical men who held that certain forms of transaction were wrong were able to draw a pretty definite line, and to enforce it strictly. The moralist who had to consider the motives in the heart was in a more difficult position; in all mercantile transactions there was a real danger of greed of

gain; but mercantile dealings were for the common good of mankind and must be carried on, despite the possible danger. Commerce might be carried on for the public good and rewarded by gain, and it was only sinful if it was conducted simply and solely for the sake of gain. The ecclesiastic who regarded the merchant as exposed to temptations in all his dealings, would not condemn him as sinful unless it were clear that a transaction was entered on solely from greed, and hence it was the tendency for moralists to draw additional distinctions, and refuse to pronounce against business practices where common-sense did not give the benefit of the doubt. Remuneration for undertaking risk was at first prohibited[1]; but the later canonists refused to condemn it. The parliament of Edward III. however adhered to the older view and took the stricter line in legislating for trade with Gascony[2].

A.D. 1066–1272.

Circa A.D. 1230.

85. The condemnation of usury in all its forms was decided: but in this matter too we see how, through an unwillingness to pronounce that current transactions were necessarily sinful, distinctions were drawn and excuses recognised, which gradually diminished the force of the ecclesiastical prohibition, and which gave rise to all sorts of ingenious evasions. One of these has been mentioned above, as practised by the Caursines; another is explained by Mr Round[3] as effected by an agreement to lease lands at a nominal rent to the lender; the nominal rent was to be paid for the reduction of the principal by yearly instalments, while the creditor gained by the difference between the nominal rent and real value of the land. Lay opinion

Condemnation of usury.

Evasions.

[1] c. 19, *Decret. Greg. IX.* v. 19. Naviganti vel eunti ad nundinas certam mutuans pecuniæ quantitatem, pro eo, quod suscipit in se periculum, recepturus aliquid ultra sortem usurarius est censendus. This has been sometimes interpreted as a clerical error for non est censendus. For authorities who take it thus see Neumann, *Geschichte des Wuchers*, 17 n. For those who take it as prohibitive see Ginepro da Diecimo, *La Giustizia de' Contratti*, 94 n. The MS. authority together with the remarks of the pseudo-Thomas in the *Opusculum de usuris* appear to me conclusive in favour of taking the sentence as it stands.

[2] 27 Ed. III. c. 6. See below, p. 319.

[3] *Ancient Charters*, 94. The kind of collusive bargain here described was apparently condemned in 1163 by a decretal addressed to the Archbishop of Canterbury. c. 2, *Decret. Greg. IX.* v. 19.

A.D. 1066—1272. and municipal courts appear to have been less lenient than the ecclesiastics[1].

Aquinas. S. Thomas Aquinas' reasoning on usury for money loans only becomes intelligible in connection with the distinctions drawn in Roman Law. If you give a loan of money (*mutuum*) you part with property in the article, and if you subsequently acquire property in a similar article you ought to be satisfied.

Use. You do not have the use of the money you lent, but neither do you have the risks which always attach to property. But if you demand payment for the use of your property, and insist on its being replaced as well, you charge for something that has no existence, for money can only be used by spending. When you handed over the property in the money to your neighbour you knew he was going to spend it, for that is the only use he can put it to; since he has bargained for a reimbursement of your property it is unfair to make him pay for the use of that which has become his own property and is held at his own risk. Of course if he does not apply for the money in order to spend it, but for purposes of display, the case is different; he will then return the pieces of silver, and it is a case of hiring (*pecunia locata*), just like that of a horse or a house. Bullion in the form of plate might often be thus used; but there is no excuse for treating wealth which has been handed over to be the property of another for a time in the way one may fairly do with goods that are only hired out but remain the property of the original owner[2].

Money. Again if we consider the nature of money we see that it has been devised to serve as a medium of exchange, and it does greatly facilitate the natural type of exchange where mutual needs are satisfied by bartering the product of each other's work. But to treat it as a source of gain is to divert it from its proper function and thus to make gain where no gain naturally accrues. This argument might have some force if we took the attitude of classical writers and stigmatised all trading for gain as base; but when we allow that certain transactions are permissible when undertaken in the

[1] See below, p. 361. The following paragraphs are extracted from my *Christian Opinion on Usury*, pp. 30—33.

[2] *Summæ*, 2*a*, 2*æ*, q. 78 a, 1.

hope—but not for the sake—of gain, it has no longer the same force. The distinction may seem a mere subterfuge, but it was of real practical importance, as it served to mark out that some modes of dealing[1] were wrong. To bargain for gain as a certainty, however the transaction turns out, and to bargain for a share in the gains but none in the risks of business, was to trade, not merely in the hope but for the sake of gain. From this standpoint however we are compelled to admit the lawfulness of compensation not only for actual loss (*damnum emergens*) but for the cessation of gain (*lucrum cessans*) from the use of one's capital. The former of these is explicitly admitted in writings attributed to S. Thomas Aquinas[2], and the latter is discussed with hesitation. But such admissions really take most of the force out of the prohibition; and thus the arguments, which had their first bearing on the status of classes in a heathen city, lose their conclusiveness when applied to the rectitude of motive and conduct in a Christian man. A.D. 1066—1272.

Exceptions.

But still further modifications became necessary. It was obvious that a man might fairly desire to be paid when he incurred the possibility of losing all he had lent, or when he was put to inconvenience by the failure of the borrower to return the goods at the right time. In such cases as these justice seemed to require that the lender should be recompensed, and hence we have the permission of receiving payment on the ground of *periculum sortis*. This was the ground of the permission which *fœnus nauticum* enjoyed[3], and the various maritime customs[4] show how wide this practice was. At the same time it appears to be explicitly condemned by Gregory IX.[5].

[1] As dealing on commission. *Statuta Gilde*, c. 25. *Burgh Laws of Scotland*, 75.

[2] *Summæ*, 2*a*, 2*æ*, q. 78 a, 2, and q. 62 a, 4. See also more fully in the spurious *Opusculum de Usuris*, c. 7.

[3] *Summæ*, 2*a*, 2*æ*, q. 78 a, 2. Sed ille qui committit pecuniam suam vel mercatori vel artifici per modum societatus cujusdam, non transfert dominium pecuniæ suæ in illum, sed remanet ejus: ita quod cum periculo ipsius mercator de ea negotiatur, vel artifex operatur; et ideo sic licito potest partem lucri inde provenientis expetere, tamquam de re sua.

[4] See *Les bones costumes de la Mar*, 194, 195, 211, in *the Black Book of the Admiralty*, III. 380.

[5] See above, p. 255, n. 1.

A.D. 1066 —1272.

A further reason for payment of more than the sum borrowed was found in the *pœna conventionalis* which seems to have been most generally recognised; a delay in repayment might obviously inflict serious damage on the lender, and this gave occasion for additional payments by the debtor; this obligation takes a very prominent place in the contracts between borrowers and lenders in the Middle Ages, and the case of Antonio and Shylock has made it familiar to us all.

Partly then from the doctrine of S. Thomas Aquinas, and partly from the practice of a Christian country like England, we find that many exceptions to the strict letter of the prohibition of usury were tolerated. It is clear that on one or other of these reasons almost every loan might claim a certain amount of interest, and the whole doctrine might have become a dead letter. But with certain well-known exceptions, there was little inclination on the part of the authorities to connive at such evasions, and the common-sense of the public agreed in this matter with the ecclesiastical decisions. The law of the realm was in practical accord with the canons discussed by S. Thomas Aquinas; other guardians of morality, in the pulpits and elsewhere, exerted their influence in the same direction. We need not be surprised that under these circumstances a strong public opinion was formed on the subject,—a public opinion which supported the ecclesiastical and other powers in inflicting penalties on the usurer. The public opinion thus created is a most noteworthy feature in English history; the strong feeling against usury was more vehement and stringent than the laws by which it had been formed; and it failed to recognise the fairness of the distinctions which subtle intellects drew, and of which the moneyed men made use as excusing their extortions.

Public opinion.

Effect on society.

It is commonly supposed that narrow-minded ecclesiastics laid down an arbitrary and unjustifiable rule against taking interest, and that they thus hampered the growth of trade. The rule was not arbitrary, but commended itself to ordinary common-sense and it did not hamper trade. The limits which were laid down in regard to money loans were not so narrow as modern writers appear to suppose and every

encouragement was given to men who could afford it, to make gratuitous loans for definite periods, as a form of Christian charity[1]: and it may be confidently affirmed that no real hindrance was put in the way of material progress in the then existing state of society by these restrictions. Tillage was so generally carried on by communities, or at any rate was so far cooperative, that the cultivator would rarely be reduced to borrowing money, as the Eastern peasantry do. Poverty probably meant a greater personal dependence on a manorial lord[2], not a constant dread of the exactions of usurers. Nor was it necessary for the artisan to borrow, as in all probability his gild[3] would supply the means of carrying on his trade if unexpected losses or sickness crippled his resources; while, generally speaking, the stock-in-trade required was very small, as he often worked on materials supplied by customers. If he was engaged on a long job where money was needed, he could borrow for the purpose, on terms which remunerated the lender with a share in the profits, without being guilty of usury, as understood by S. Thomas Aquinas[4]. The merchants too were not restrained from using the capital of other men in their ventures or from remunerating them for the risk involved. The cases in which men were generally reduced to borrow without being able to offer the lenders a profitable partnership, were those where kings and barons were suddenly called on to meet the expenses of a military expedition, or where land-holders and ecclesiastics had to borrow to meet the calls of royal or papal taxation; borrowing for the sake of building magnificent works or for other purposes of display

A.D. 1066 —1272.

[1] See a case (1188) in Round's *Ancient Charters*, p. 90; also the instance in 1115 of Briestam (Orderic Vital VI. in Duchesne, *Hist. Nor.* 628). Ipse etiam nec multum dives, nec nimium pauper, secundum laicorum ordinem in possessione mediocri seipsum et familiolam honeste regebat. Vicinis suis indigentibus nummos non tamen ad usuram accommodabat, sed propter infidelitatem multorum a debitoribus vadimonia retinebat. As to loans by a burgess to the municipality see Winchester Ordinances, *Archæological Journal*, IX. 73. The ordinances of the gild merchant at Coventry provide for a gratuitous loan of money to a brother who has fallen into poverty so as to enable him to trade. Gross, *Gild Merchant*, II. 50.

[2] Compare the practice of Russian proprietors before the enfranchisement. Wallace, *Russia*, II. 200. See also on the tradition of monastic management, p. 532 below.

[3] Compare the practice of making such loans on pledges to sick brothers in Germany. Schanz, *Zur Geschichte der deutschen Gesellenverbände*, p. 72.

[4] See above, p. 257, n. 3.

A.D. 1066 —1272.

we need not consider. Mediæval usury was quite unlike that of pagan and Eastern countries, for it was prevented from attacking and preying on the industrial resources of the country; the comfortable classes and ecclesiastics were those who suffered most by being occasionally forced to apply to bankers or Jews when they really needed coins.

III. REPRESENTATION AND LEGISLATION.

I. Political and Social Conditions under the Edwards.

86. The preceding sections have shown us the development of complex and well-organised chartered towns which made regulations for their internal and for foreign trade, arranged for the superintendence of manufactures, and enforced a code of commercial law. But though much progress had been made in London, at Ipswich and elsewhere, it was in all cases a local growth. The time of Edward I. marks the most important turning-point in our history, since he set on foot a machinery for framing general regulations for the whole country, and thus took the first steps in organising a national economic life that was to outlive and outgrow and absorb the most flourishing gild of the thirteenth century. Hence we now have the first beginnings of a political economy, so far as England is concerned. Hitherto we have had to deal with village or manorial economy; or to trace how special municipal and market privileges were conferred upon the inhabitants of particular towns and used by them, and how special trading privileges were granted to groups of foreigners; but we are now to see the industry and commerce of the realm dealt with as a whole.

A.D. 1272—1377. *The beginnings of national economic organisation.*

There are two main sides to the work of Edward I.; he instituted the representation of the people and he reorganised the fiscal system of the realm. Of these the former

Constitutional changes

A.D. 1272—1377.

was an improvement in the constitution on which it is unnecessary to dwell in detail here, and the direct economic effects of his changes in taxation may have been but slight at first. None the less was his work of the greatest significance so far as industry and commerce are concerned; it is not what he did that is remarkable, but what he rendered possible; he provided the machinery by which the whole subsequent development of English industry and commerce has been directed and controlled. Indeed it is not too much to say that the whole structure of society was altered by his wisdom. Formerly there had been a vast number of separate local jurisdictions, each united by a similar tie to the king as head, but without any real connection with one another; now the towns in different parts of the country were enabled to realise the interests they had in common, to get over some of the old local exclusiveness, and to join in demanding measures for the common good of their class in all parts of the realm. Hitherto particular bodies had bought particular privileges for themselves, now they made terms as to the contributions which were to be taken from the whole land, and framed regulations which should be enforced throughout its length and breadth. This was the work which the estates of the realm were called on to undertake when they were summoned to consult with the king about what concerned all.

and their indirect influence on industry and commerce.

Connection of the various parts with the head,

It was a new departure; but still it was only another step in the work which the first William had begun. He had done much to weld the several parts of England into a united whole, for he had forced each of the local powers into attachment to the common head of the whole realm; Edward proceeded to organise them all as parts of one body, not only connected by allegiance to the head, but bound by common interests and obligations to one another. The time for merely granting special privileges by charter and for relying on occasional contributions from particular groups of tenants was over, and the day had come when the strangely various elements of English population were at last organised into a body politic, and could thus simultaneously share in the advantages and in the burdens of government.

and with one another.

There had of course been general regulations for the whole realm on certain economic matters before this time; a uniformity of weights and measures had been decreed, as well as *Assizes* of Bread[1], Ale and Cloth, and an effort had been made to ensure fair dealing in regard to the commonest articles of consumption[2]. But it may be noticed that these were points in which the King and the Court were directly interested, since it was of the first importance that the supplies he required in progresses through the country should be obtained in definite and known quantities, and at reasonable rates when they were purchased; the trading classes required definite weights and measures in each district, but a general uniformity of weights and measures was important to the king, and he was specially interested that there should be no sudden raising of the price of food when a visit of the court created a sudden demand. The Edwardian legislation may certainly be regarded as a new departure, since it was very different in form, and it primarily aimed at regulating trade in the interests of the subjects. Indeed it corresponds, not so much with the charters which kings had issued, but with the customs which had been formulated in different municipalities. The subjects, by adopting common usages in so many towns, had organised a body of customs on commercial and trading matters, and Edward only carried out what they had begun when parliament gave to similar customs the force of law in all parts of the realm.

A.D. 1272—1377. *First attempts at general regulation* A.D. 1266

in the interests of the subjects generally.

From this time onwards we may notice the gradual development of this national industrial regulation, and how in regard to commerce, to manufactures and to agriculture alike, the local authorities were gradually overtaken

Local institutions were gradually superseded by

[1] See *Appendix A*.

[2] Precipue ex parte Domini Regis precipiatur quod nullus forisstellarius paciatur in villa commorari, qui pauperum est depressor manifeste et tocius communitatis et patrie publicus inimicus; qui bladum, pisces, allec vel res quascunque venales per terram vel per aquam venientes, quandoque per terram vel aquam obviando præ ceteris festinat lucrum scienter viciosum, pauperes opprimens, et diviciores decipiens, qui sic minus juste illo qui eas apportaverit multo carius vendere machinatur; qui mercatores extrancos cum rebus venalibus circumvenit, offerens se vendicione rerum suarum, et sucgerens eis quod bona sua carius vendere poterunt quam vendere proponebant, et sic arte vel ingenio villam seducit et patriam. *Statutum de pistoribus.*

A D. 1272 —1377.

and superseded by the increasing activity of parliament, till in the time of Elizabeth the work was practically finished, and a complex but well-articulated system of national economy was completed.

The general character of the local powers has been already indicated; it would be a mistake to suppose that serious efforts were made to suppress them wholly. Indeed it may be said that under Edward I. the towns made rapid advances; the free towns which he founded attained the highest point of constitutional importance, for they were free from manorial restrictions of every kind, and they were not yet overshadowed by the growing power of parliament. In succeeding reigns, even when the towns continued to grow in wealth and power, the special privileges for which they had paid so dearly came to be of comparatively little importance, not so much on account of actual attacks directed against them[1], but because statute law extended the blessings of good government throughout the country generally. Special municipal privileges were not withdrawn, but they were superseded as other localities came to enjoy similar advantages through the vigorous action and wise regulations of the central authority.

the more effective work of parliament.

Centralisation and individual independence.

The progress of this centralising tendency brought about one remarkable result; as it increased, the range of freedom for the individual citizen became wider and wider. The restrictions which seem to us so galling were not imposed for the first time by statute; for the most part parliament transferred the enforcement of certain regulations from a local to a central authority, and by so doing gave an immense increase to personal freedom. That there should be similar laws, similar customs, similar taxes, similar conditions of business throughout the length and breadth of the land was a very great gain for purposes of internal trade; as all Englishmen came to be subject to one law and shared in the same privileges, they were freed from the fetters that local immunities had imposed on their intercourse. In some other countries the special and local restrictions and privileges

[1] Though these also occurred in the legislation on behalf of alien merchants which, as the cities complained, was inconsistent with their chartered privileges. See below, p. 392.

were swept away, not without blood, and the continuity with the past was rudely broken by the sudden introduction of modern improvements; in our land affairs have run another course; local regulations were superseded by general legislation, and then general legislation ceased to play such an important part, as world-wide commerce outgrew the control of national ordinances. Hence one may say that there has been continuous progress in this matter; local regulations were better than none, and towns regulated by their own gilds had a start in the race; but general regulations are better still, and when the country had so far advanced that general regulation was possible, the maintenance of merely local regulations would have been restriction. It is not regulation that is an evil, but unsuitable regulation; unregulated trade is not necessarily in a sound condition, and regulated trade is not restricted trade unless it is ill-regulated trade. If we do not bear this in mind we shall hardly realise the extent of the progress which is marked by the close of the charter period and the beginning of legislation; while we shall certainly fall into grave errors if we forget that the Plantagenets and their parliaments were making regulations for their own times and not for ours.

A.D. 1272–1377.

Regulation and restriction.

87. Edward I. laid the foundations of a system of national regulation of industry and commerce, and this gradually outgrew the municipal institutions; he rendered it possible for his successors to survey the commercial condition of the country as a whole, and to form a definite policy for the development of national resources and for establishing satisfactory relations with foreign places. Before his time the rulers could only aim at securing good administration, and collecting the revenue satisfactorily; but after his reign it had become possible to devise a national policy and increase prosperity, so that the sources from which revenue was obtained might yield more freely. It is in the reign of Edward III. that we can see the beginnings of a commercial policy of an international and not merely of an intermunicipal character[1].

Foreign policy of Edward III.

[1] This and several subsequent paragraphs were read as a paper before the *Royal Historical Society* and have been published in their *Transactions* (*N.S.* IV. 197).

A.D. 1272 —1377.

There is a striking contrast between the reign of Edward I. and that of Edward III.; one was a legislator whose chief triumphs were constitutional, while the life of the other was passed in pressing claims to continental dominion. But in his wars, Edward III. aimed at objects which were approved by the Commons assembled in parliament, even while they groaned under the pressure of the expenses entailed; the assertion of his claim to the kingdom of France was a card he was forced to play in the hope of winning the game. It is not probable that he was merely actuated by dynastic ambition,—still less that he was endeavouring to secure possessions abroad which would render him independent of his subjects at home. His policy appears to have been largely based on economic considerations; he seems to have aimed at the development of national wealth, and he may possibly have recognised the cohesive power of commercial intercourse. His plans were not farseeing, and they broke down because he failed to bring conflicting interests into harmony. The privileges he conferred on Flemish merchants roused the jealousy of his English subjects[1]; while the arrangements, which were favourable to sheep farmers and to consumers in this country, proved to be injurious to English shipping.

His claim to the French crown

Curiously enough too, Edward III. was the instrument of thwarting Philip in his endeavour to carry on a work of consolidation in France, similar to that which Edward I. had accomplished in England. The great fiefs,—Guienne, Britanny, Flanders,—were the main obstacles which delayed the union of France under one strong rule, and each of these in turn had the support of Edward III. in maintaining its opposition to the feudal superior. He was the hereditary ruler of Guienne, though other provinces to which he had an equal title had been filched away from him, and he was closely related to Flanders by his marriage, while he attempted to form similar connections with Brabant as well. These personal relationships made it incumbent upon him to try to hold his own, and refuse to submit to yield to the arrogant claims and underhand schemes by which Philip was endeavouring to oust him. But these personal ties do not account

and his connection with the great fiefs.

[1] Welsford, *Strength of England*, 134.

for the method he pursued in carrying on the war, the provisions on which he insisted in his treaties, or the favour with which the Commons viewed his schemes. A.D. 1272–1377.

The two districts in which he was thus personally interested,—Flanders and Guienne,—were the two regions which were most closely connected with England by common mercantile interests. "Trade follows the flag," and trade goes on more peacefully between two parts of the same empire; it was undoubtedly true that if Flanders and England, as well as Gascony and England were united, or closely connected, politically, there would be every prospect that the commerce of both would flourish. The English rule seems to have been popular in Gascony at first and Flemings were ready to acquiesce in this scheme and support Edward most heartily; according to Froissart[1] he only assumed the style and arms of king of France with much reluctance, and because the Flemish towns urged him to take this step. They were not on very friendly terms with their own court, and they had every reason to fear the French king; if Philip's schemes were successful and he made his suzerainty over Flanders a reality, they would be in subjection to a monarch who was bitterly jealous of the growing strength of his own communes, and who had already waged a cruel war against them. They could not but be struck with a contrast in the action of the English kings; Edward I. had been a great builder of towns, not only in his own island, but on the continent[2] too; he had called the burgesses to give

Gascony.

A.D. 1340.

Flanders.

[1] *Chronicle*, c. 42.

[2] On the whole subject of the Bastides or Villes franches founded by Edward I. in Guienne and Aquitaine see A. Curie Seimbres, *Essai sur villes*, pp. 43, 61. Some interesting details are also given by J. H. Parker in his continuation of Turner's *Domestic Architecture*, I. 154. In plan they were rectangular and fortified, divided by streets 24 or 30 feet wide into blocks, which were again separated into separate plots by passages six feet wide. This isolation of each plot served to prevent disputes about party walls; gave security against fire and was convenient for drainage. These were matters which had received attention in London from the time of Henry II., and Edward not unnaturally sent to his own capital for skilled men to lay out some of his new towns in Aquitaine in 1298 (op. cit. I. 157 n.). The neighbouring lords, whether ecclesiastical or lay, strongly objected to these new and free towns: when the Ville franche de Rovergne was laid out the neighbouring bishop excommunicated any one who should go and build in it, as he feared that it would ruin his own town of Rodez (op. cit. I. 169). "No less than fifty towns were founded by the English in France within the same number of years, and the best

A.D. 1272—1377. him counsel in parliament, and his grandson summoned merchants—as he at other times summoned other classes—to colloquies on matters affecting their interests. They might well wish to be under such a king, while the requirements of their manufactures rendered it essential that they should get a constant supply of English wool[1].

Sovereignty of the sea. Had Edward III. maintained his claim to the throne of France he would have of course secured a position as suzerain of Flanders; it might possibly be argued that he went some way to assert this right when he issued the noble[2], intending it to circulate both in England and Flanders; this certainly looked very like the assertion of a princely right in regard to these countries, while the claim to the Sovereignty of the Sea would be more easily enforced and the king's peace maintained on the waters by a monarch who possessed the land on either shore.

The course of the campaigns. A.D. 1346. Be this as it may, we see that in his first campaigns, Flanders was the base of operations; that in the great campaign, after landing in the Cotentin, he again turned away both from Guienne and from Paris to establish his forces in the Low Countries; while his protracted negociations with the people, as well as the princes, of Flanders and Brabant, seem to show how much his proceedings towards Philip were affected by the way in which he kept the interests of the wool trade in view.

The Gascony trade. The other great branch of continental trade, the wine trade with Gascony, was more than partially Anglicised, since it had been concentrated in Libourne and other English towns, where the burgesses would welcome the policy pursued by Edward III. His hereditary right to the Duchy made this really a trade between two different parts of his own possessions; and to have established a firm hold upon Gascony, Flanders and England, would have been to create a remarkably powerful commercial federation. It is probable that the misgovernment of the Black Prince, by alienating the

proof of the success of the plan is in the strong hold which the English people held in the affections of the people of this part of France, and in the fact that most of these towns are still existing, and in a flourishing state." *Op. cit.* I. 170 n. Also, Brissaud, *Les Anglais en Guienne*, 114, 127, 151.

[1] On the export of wool to Flanders see *Appendix D.*

[2] See title-page.

southern peoples, rendered it impossible to realise this scheme, for the Flemish connection[1] was the less important project, especially when the manufacture of cloth was being so successfully prosecuted in England; but it was a highly ingenious plan and would justify the reputation Edward III. enjoyed as the Father of English Commerce. It would be curious, as it is idle, to speculate how very differently European politics must have shaped themselves if this dream had been realised; if France had been wedged in between two tracts of territory, united both by loyalty and commercial interest to England; and if over-sea trade had at that early period received the extraordinary impetus which these political connections must have given. A.D. 1272—1377.

88. Though the constitutional change which took place under Edward I. is one of the turning-points of industrial history, and the political schemes of Edward III. seem to mark a new era in the progress of the nation, there were other sides of life which exercised no little influence on economic affairs, and in regard to which no change was apparent; current morality was not substantially altered, and the practical measures which embodied it are similar to those which were already in vogue. *Commercial morality.*

In a preceding section an attempt has been made to sketch the methods of trading which approved themselves to the gilds merchant in thirteenth century towns: a similar feeling found expression on a larger scale in parliament, both as regards the methods of regulation adopted and the exclusiveness as against outsiders. Had civil lawyers been more largely represented in parliament it is quite conceivable that our commercial legislation might have been copied almost entirely from the code of Justinian; on the other hand, the attempts to limit the rapidly increasing wealth of the Church would hardly have emanated from an assembly where ecclesiastical feeling was dominant; in either case there might have been some expression of jealousy at the prosperity of the burgesses and the traders. But the earliest economic legis- *Statute Law reenforces burgh customs.*

[1] In the treaty of Bretigny (§§ xii, xxxi, xxxii) king Edward sacrificed his claims on Flanders as the price of the promised cessation of French interference in behalf of Scotland. Rymer, *Fœdera*, III. i. 487.

A.D. 1272 —1377. *Empirical legislation.*

lation is very similar to the burghal customs; it is purely empirical; and it reflects the opinions and prejudices of practical men, especially of merchants—the class who were dominant in the regulation of town affairs. Early legislation is concerned with providing facilities for trading, for more frequent intercourse, for better markets and better prices—in the hope of securing a supply of wares in plenty to the consumer[1]. It also aimed at enforcing what was fair, as between man and man in every-day transactions; but it rests on practical experience, not on scholastic teaching, and it is difficult to use the mediæval doctrine of a fair price, as it is found for example in S. Thomas Aquinas, so as to explain the actual regulations and restrictions. The more the enactments are examined the more does it become clear that they are based, not on the Aristotelian doctrine of moralists, but on practical experience of bargaining about different kinds of commodities in the market or the fair. There was much in the acts of these parliaments that was mistaken, but the legislators erred as practical men may err; there was nothing *doctrinaire* in the remedies they tried or the regulations they proposed; they were often short-sighted, but they were not led away by some favourite theory in the days of the Edwards. It was a time of legislation and regulation by rule of thumb; and unless an effort is made to understand the social conditions which moulded our industry and commerce during that period the legislation itself may be entirely misunderstood.

II. Consolidation.

Representation

89. While Edward I. was ready like De Montfort to associate the estates of the realm with himself in the work of government, he was by no means willing to forego any of the just claims of his position as king; it was not because he was weak and careless and desired to be rid of responsibilities that he summoned his parliaments, but because he believed that his government would be stronger if his plans were

[1] Hence the Edwardian legislation resembles that of the nineteenth century more closely than that of any of the intervening periods; see p. 310 below.

supported by the suffrages of his subjects. His father had endeavoured to exercise a personal sway, and he had been forced to give up the kingly powers to a committee of his barons. Edward by endeavouring to act in conjunction with the estates of his realm, did not indeed always get his own way, but he succeeded in establishing a government that was really effective against the discontented and disorderly. And hence, while in the time of Henry there had been the most serious encroachments upon royal wealth and jurisdiction, Edward was able to recover and maintain much that had slipped from his father's grasp. Here one may notice that it was because he was successful in asserting his rights as king against individual barons, or the Pope, that their constitutional powers were defined in the form they actually took, and that they were prevented from usurping a power which would have been dangerous to the nation itself. When staunchly maintaining the rights of the Crown, Edward was taking the most effective means for securing the ultimate redress of the wrongs of the poor[1]. This comes out very clearly in the story of the disafforesting controversy. By an adjustment of boundaries considerable portions of the Crown forests were given over to certain barons, who gained personally; but the position of the tenants was so much altered for the worse that their case obtained special attention in the *Ordinance of the Forest*, by which their rights of pasture and common were secured.

A.D. 1272—1377.

and royal authority.

Usurpations and tyranny.

A.D. 1305.

If this was the most formidable, it was not by any means the only encroachment about which he had cause to bestir himself. As has been described above, one of his first acts on coming to the throne had been to institute an inquiry into the full extent of the losses which the Crown property had sustained[2]. He sent out commissioners and took account of the losses of the Crown from usurpations by the subject, and of the misdeeds of royal officers. The results of the inquiries are embodied in the *Hundred Rolls* and the records of the proceedings which ensued; they contain much evidence to

Encroachments on royal rights.

A.D. 1274.

[1] For a picture of these about this time see the 'Husbandman's Song,' in Wright's *Political Songs* (Camden Society), 149.

[2] See above, p. 175.

A.D. 1272 —1377. A.D. 1275.

show that where the king was badly served, the people suffered too. Many things required amendment in the realm at the time of his accession, "for the prelates and religious persons of the land were grieved many ways, and the people otherwise entreated than they ought to be, and the peace less kept, and the laws less used, and the offenders less punished than they ought to be[1]." The enforcement of laws, and the enactment of more widely effective laws were absolutely necessary for the good of the country.

The Church

90. There was one particular direction of change however which called for special intervention; corporations never die, and the munificence of successive generations had tended to bring a large area of the lands of the country into the hands of the clergy. The excessive endowment of religion was a political evil, as such a large proportion of the revenues went directly or indirectly to the enrichment of the see of Rome[2]; these ecclesiastical claims had existed for a long time past and were increasing. Peter's pence had been paid with more or less regularity since the ninth century; and while preparing for the second crusade, the Pope taxed the clergy throughout Christendom as a means of supporting the undertaking. The connection with the Roman See, which William of Normandy had introduced and S. Anselm favoured, was soon made an excuse for constant appeals; and immense sums were paid as mere bribes to the papal servants at Rome. The position of feudal suzerain of England, which the Pope had acquired during the reign of John, and the fact that by the will of

and its revenue.

that monarch he was guardian to the young Henry, strengthened the hold which the papal power had upon the wealth of England, and the revenues of the English Church[3]. In particular the various pretexts under which Rufus had appropriated Church revenues[4] were soon used on behalf of the papacy; while a large number of the richest benefices in

[1] *First Statute of Westminster* (preamble).

[2] On the organisation of papal taxation, see Gottlob, *Kreuzzugs-Steuern*.

[3] On the payments made in connection with the intrigue for placing Prince Edmund on the throne of Sicily, see Gottlob, *Kreuzzugs-Steuern*, 81; Whitwell, *Italian Bankers* in *R. Hist. Soc. Trans. N.S.* XVII. 179.

[4] For calculations as to the amount of these resources compare Pearson, *Hist. Eng.* II. 496, and Milman, *Lat. Christ.* IX. 15. In the reign of Edward III. the Commons estimated it at a third of the property of the realm. *Rot. Parl.* II. 337 a.

England were in the hands of aliens and foreigners. This was a crying evil in the thirteenth century, and despite many efforts to check it, there is little sign that it really abated. In the reign of Edward III. the Commons complained that the taxes paid to the Pope amounted yearly to five times the sum paid to the Crown[1]. A.D. 1272—1377. A.D. 1376.

This was in itself a serious matter; but the evil became more obvious, when Pope Boniface VIII. claimed to have such authority in England that royal taxes on the temporalities of the clergy should only be levied with his consent and approval[2]. The new and startling claim was met by a vigorous measure, for Edward I. withdrew all legal protection from the clergy, and his sentence of outlawry soon suppressed the attempt to maintain such pretensions. But the fact that this claim could be put forth rendered it still more necessary to press forward, on the lines of action, which Henry II. had taken by enforcing the obligation of the clergy to pay scutage on the knights' fees which they held. *Papal pretensions.* A.D. 1297

The first of Edward's measures with this view was the *Statute of Mortmain*[3], which prevented the clergy from acquiring additional lands either by gift or purchase without the consent of the chief lord, and without bearing their fair share of public burdens; there had doubtless been fraudulent conveyances of lands to the Church by men who desired to be reinstated in possession as Church tenants, and as enjoying immunities on that account. This measure was followed up by the *Quia Emptores*[4], which not only condemned the collusive sales by which the tenants in chief and the Crown had been damaged, but provided for the more easy transference of land so long as the rights of the superiors were properly preserved; for every tenant was now permitted to sell his lands or parts of them. There is reason to believe that this statute was taken advantage of very generally, and that there was in consequence a great increase in the number of free tenants, many of whom however had but small holdings[5]. This was *Mortmain.* A.D. 1279. A.D. 1290.

[1] *Rot. Parl.* II. 337 b.

[2] *Greatest of Plantagenets*, 229. On the increase of papal taxation in the fourteenth and fifteenth centuries, see Gottlob, *Aus der Camera*, 183.

[3] *De viris religiosis*, 7 Ed. I. ii. [4] *Quia emptores*, 18 Ed. I. ii.

[5] Scrutton, *Commons and Common Fields*, 55. Jessopp, *Coming of the Friars*, 190.

A.D. 1272—1377. the effect, though not so far as appears the object, of the measure; but once again the effort to secure the rights of the Crown indirectly led to the granting of improvements in the condition of the tenant.

The ecclesiastic Orders. The struggle to assert the rights of the Crown was prolonged in the case of the various ecclesiastical Orders.

Templars. The Templars were among the first to feel the weight of royal displeasure; they were already unpopular with the clergy because they had been removed from ordinary ecclesi-

A.D. 1256. astical jurisdiction, and several bulls were issued in their favour[1]; and when the loss of Acre sealed the failure of the

A.D. 1291. Order to recover the Holy Land from the Infidel, it was possible for Edward I. to argue that they should no longer be protected in the enjoyment of wealth which had been granted in the hope of accomplishing this object. Their accumulations were large, as the religious character of their establishments gave some immunity from pillage, and they were rendered specially secure by the strength of their construction and the training of their defenders. The Temples[2] at London and Paris were favourite places for depositing jewels[3] and other treasures; the hoards of wealth amassed in them were very great[4], and the Templars not only negotiated the ransoms of prisoners[5], but engaged in such financial business as making payments in distant places[6], and advancing money to the crown[7]. Since they were thus concerned in lucrative financial business, they were not entirely free from the suspicion which attached to all those who were engaged in monetary transactions, and they were occasionally the victims of royal necessity or

A.D. 1295. cupidity. Edward I. appropriated the revenues which they were about to transmit to Cyprus, though he restored them on the earnest appeal of the Pope[8]. Edward II. on his succession

[1] Rymer, *Fœdera* (Record), I. i. 334, 335.

[2] Leopold Delisle, *Opérations Financières des Templiers* in *Acad. des Inscrip.* t. xxxiii. p. 2. Gottlob, *Kreuzzugs-Steuern*, 240. See below, p. 288. Also E. Ferris, *Relations of Knights Templars to English Crown* in *American Hist. Rev.* VIII. 1.

[3] Rymer, *Fœdera*, I. pp. 435, 492. Henry III. obtained advances from merchants on Crown Jewels deposited at Paris in 1264.

[4] Edward I. when Prince of Wales forcibly took £10,000 from the London Temple in 1263. *Gervase Cant.* R. S. II. 222.

[5] Compare the arrangements for the ransom of William Brewer (1204). *Patent Rolls*, p. 41.

[6] King John (1206, 1213), *Patent Rolls*, pp. 65, 103.

[7] King John, *Patent Rolls*, pp. 135, 152.

[8] Rymer, *Fœdera*, I. ii. 823.

seized no less than fifty thousand pounds in silver, besides gold and jewels which had been deposited in their treasury[1]. When through a shameful intrigue[2] the papal protection was at last withdrawn, the Order was left utterly defenceless; but it is to the credit of Edward II. that he showed considerable reluctance to believe the accusations against the Order[3], or to lend himself as an agent for their suppression. A.D. 1272—1377. A.D. 1307.

The foreign monastic Orders escaped at this time, but like the alien beneficiaries[4] they were very severely treated by Edward III. The Cluniacs had, like the Templars, been supplying money for the uses of the chapter in foreign parts; while the Cistercians had endeavoured to evade the duty of contributing to the royal revenue, on the ground that their houses in England had no complete control over their possessions[5]. But these evasions were of no avail, and by rejecting them firmly, Edward followed his grandfather's example, and took another step in the consolidation of the realm as a whole. *Cluniacs.* A.D. 1316. *Cistercians.*

91. So far we have had to do with the enforcement by constitutional means of the prerogatives of the king as supreme landowner; we must now turn to examine the prerogatives which he exercised as supreme in disposing of the products of the soil, and as controlling the use and exchange of them. This side of the royal power has been less commonly understood and admitted[6] than Crown rights on the land, for it was never so explicitly asserted as when William I. put forward the claims of the feudal king at Salisbury, and it was only exercised within limitations. Nevertheless it is only on the supposition of such a prerogative that the various forms of royal exaction and royal control, over the internal and external trade of the country, become in- *Undefined rights*

[1] Addison, *Knights Templars* (2nd Ed.), 448.
[2] Ibid. 450.
[3] Rymer, *Fœdera* (Record), II. i. 10, 19.
[4] Ibid. III. i. 68.
[5] It appears that Henry III. admitted this claim (A.D. 1242), as he appealed direct to Citeaux. Mat. Paris, *Chron. Maj.* IV. 234, 235, 257. See p. 209 above.
[6] For one thing it conflicts with the doctrine which has been held by Locke, Adam Smith, and their followers, that property in the products of the soil rests on labour (see above, p. 99 n.). But it is notorious that there is communal control over all the products of labour in a village community, and there is nothing absurd in maintaining a national right to control and dispose of all the products of the labour of individual citizens in the nation.

A.D. 1272—1377. *of prise and* telligible. The king—the head of the nation—might require goods for his own use and that of his household, and for the commissariat in warfare, and he might control the disposal of them in the interest of the subjects or of the national resources. His requirements might be satisfied (*a*) by taking the articles he required, (*b*) by purchasing them on more or less favourable terms, or (*c*) by accepting money in lieu of the exercise of these rights[1].

purveyance. The indefinite rights, which the kings had exercised by immemorial usage, were now to be systematised and defined; the Domesday Survey is full of hints of obligations connected with *purveyance*, and the earlier statutes contain frequent references to the subject. The requirements of the court had to be met when the king travelled through the country, and this was done either by compulsory purchase (*emption*) or the simpler method of *caption*. A similar right, when exercised in regard to articles of export or import, was known as *prise*; and the liability to demands of this sort—for which the merchant could only hope to be remunerated in part and after a long delay, if at all[2]—rendered these forms of indirect taxation exceedingly inconvenient, if we judge of them by modern canons, as well as very expensive, from the malversations of which officers were occasionally guilty. The practice must have become specially noxious in connection with the continental wars of English kings. So long as personal service in the field was maintained and the knights had to 'find themselves' it would not be so bad, as the barons were not in all probability able to imitate the royal practice very

A.D. 1159. closely[3]. But when the payment of scutage relieved the knights from this obligation it became the duty of the king

[1] On the whole subject compare Mr Hubert Hall's *Customs Revenue*, I. 55—72.

[2] Hall, *Customs*, I. 61.

[3] *Rot. Parl.* II. 62 a. Forced enjoyment of the hospitality of religious houses was an approach to the exercise of rights of purveyance. It was checked by the *First Statute of Westminster*, c. 1. "Because that Abbeys and Houses of Religion have been overcharged and sore grieved, by the resort of great men and others, so that their goods have not been sufficient for themselves whereby they have been greatly hindered and impoverished, that they cannot maintain themselves nor such charity as they were wont to do, It is Provided that none shall come to eat or lodge in any House of Religion of any other foundation than his own at the costs of the House, * * and that none at his own costs shall enter in and come to lie there against the will of them that be of the House."

to organise a commissariat; and the exports and imports of the realm lay ready to hand for this purpose. They might either serve as supplies, as in the case of wine, or might be carried abroad, so that the sale might furnish the king with the means of purchasing the necessaries of life. The purveyance of commodities for the king's use within the realm is consequently of far less economic importance than the action of the Crown in regard to merchandise. The fiscal history of the reigns of Edward I. and Edward III. turns very much on their efforts to exercise these privileges with, and sometimes without, parliamentary sanction. A.D. 1272—1377.

Under ordinary circumstances the king preferred to take his share of the value of the exports in the form of a toll, and custom had apparently come to recognise a definite payment which was a fair toll to take; this was the so-called 'ancient custom' on wool, woolfells and leather of half a mark on every sack of wool, and one mark on every last of hides[1]. Similarly, there was a *recta prisa* of wine[2], the chief article of import, which consisted of one tun taken before and one abaft the mast. It does not appear that the rates with regard to other articles of export and import were similarly defined. Aliens, however, stood in a somewhat different position; they paid all their dues in money; for freedom from the king's arbitrary prise of wines they rendered *butlerage* of 2*s.* a tun[3]. Similarly, they paid an additional duty on wool, and 3*d.* per pound avoirdupois on all other commodities, to be free from the king's prises on their commerce; this was the *nova* or *parva custuma*[4] to which denizens were not liable. *Definite tolls.* A.D. 1275. *Ancient custom.* *Recta prisa.* *Butlerage*

Exactions in excess of these rates were regarded as oppressive (*mala tolta*), and provoked a considerable outcry in 1297. The parliament was, however, willing to make additional grants in great emergencies; and owing to a scarcity of money[5], grants of wool were made to Edward III. and afforded excellent opportunities for the operations of contractors[6]. Sub- *Mala tolta.* A.D. 1341.

[1] Hall, *Customs*, I. 66. [2] Ibid. II. 96. [3] Ibid. II. 102.

[4] *Lib. Cust.* II. 209. It was temporarily abolished by Ed. II. (1309) in the Statute of Stamford as a fiscal experiment (*Rot. Parl.* I. 444 a.), but subsequently reimposed. See below, p. 291.

[5] *Rot. Parl.* II. 103 No. 4, 107 No. 7, 112 No. 5, 131 No. 42.

[6] *Rot. Parl.* II. 108 No. 10, 120 f No. 19 &c. Hall, *Customs*, I. 78.

A.D. 1272 —1377.

sidies on wool, in addition to the ancient custom, were voted in the fourteenth and twenty-seventh years of Edward III.[1] There were also frequent subsidies of *tunnage* and *poundage*[2], which were subsidies in addition to the ordinary prisage of wines and other goods paid by denizens, and the butlerage and *nova custuma* paid by aliens. While the customs were the parliamentary shaping of the ordinary exercise of the prerogative, subsidies were the parliamentary voting of special aids.

Subsidies.

Customs officials.

The collection of these tolls and subsidies required a body of officers; the king's chamberlain, the sheriffs, and a considerable variety of persons had been employed in earlier reigns[3], but Edward I. appointed regular *customers* for the duty[4]; their business was partly that of collecting the revenue, and they were also charged with the responsibility of putting down smuggling. They had to see the wools weighed, and to seal (*cocket*) them before embarcation; similar duties in regard to exported and imported cloth were also discharged in connection with the collection of revenue by subordinate officials[5]. The formation of a special customs department was perhaps more necessary, since so many towns had become exempt by their charters from the interference of the sheriff and from the ordinary courts. In order that the Crown might reap the full benefit from the export trade, it was necessary to superintend the dealings in wool and to weigh the quantities exposed for sale, so as to gather the tolls and prevent illicit trade[6]. But this could not be done without taking measures to force the trade into channels where it could be properly controlled; Berwick Newcastle, Hull, Boston, Lynn, Yarmouth, Ipswich, Dunwich, London, Sandwich, Chichester, Southampton, Bristol, Exeter, Cardigan, and Chester were among the principal commercial ports in the time of Edward I. The scheme was more definitely organised by Edward III.[7]; in some cases the customers

[1] Hall, *Customs*, II. 134. [2] Ibid. II. 146. [3] Ibid. II. 3

[4] This appeared to be an infraction of chartered privileges and was apparently resented as such at Bristol. *Rot. Parl.* I. 359.

[5] Hall, *Customs*, II. 49.

[6] See the inquiry in the *Hundred Rolls*, above, p. 176.

[7] In 1353. *Ordinance of the Staples*, § 1.

were responsible for superintending the trade at a neighbouring harbour as well; thus Chepstow and Bridgewater were grouped with Bristol. A.D. 1272–1377.

In thus organising the collection of customs, Edward I. and his parliament asserted a right of regulating the places of trade, and of determining the conditions under which trade should be carried on. But besides improving the conditions at the centres of commerce, he appears to have done his best to develope new places of trade. Kingstown-upon-Hull[1] entered on a new career at this epoch; and other towns were laid out and rebuilt. Winchelsea[2], which still preserves the ground-plan of an Edwardian town, had suffered from an inundation and was reconstructed in this reign. Great Yarmouth appears to have been laid out at the same time, and the king endeavoured to place the relations of the burgesses to the men of the Cinque Ports on a friendly footing. There was already a trade in coal from Newcastle[3] to London[4], and shipments were made beyond the seas[5]. At present it may suffice to notice that the king was successful in asserting a right of controlling trade, and to indicate the nature of the machinery which was organised in connection with this claim; a great part of the commercial history of England consists in tracing the different ways in which the right thus asserted has been exercised from time to time[6]. *Ports.* *Free towns.* A.D. 1299.

92. Since the Crown had such rights in regard to trade, it had also duties towards those who conducted the traffic. While Edward I. organised a system for collecting a definite revenue, he set himself to improve the conditions of trading as well. He took up the regulations in regard to police and to the recovery of debts, which were already in vogue in certain towns, and rendered them general, while he initiated some important improvements in regard to the currency. *Improved conditions for trade.*

[1] The story of the founding of Hull given by Tickell and Parker and mentioned in the second edition of this work (p. 258) appears to be quite untrustworthy. Lambert, *Two Thousand Years of Gild Life*, 7.

[2] Parker, *Domestic Architecture*, II. 158.

[3] Mining rights are mentioned in 1245, and the town had greatly increased in 1281. Brand, *Newcastle*, II. 253.

[4] 1306. Brand, II. 254. *Rot. Parl.* I. 405. [5] *Rot. Parl.* I. 433 No. 9.

[6] The constitutional questions as to the relative powers of King and parliament in controlling trade may be neglected, from the present point of view.

A.D. 1272—1377. *Police.*

a. Police ordinances. Of these the most important are the *Statuta Civitatis Londonie*, with the regulations for securing good order in the town, especially after dark. It was necessary that a known citizen should be responsible for the good behaviour of every resident in the town, so that everyone might live under the eye of a respectable man who was answerable for his behaviour. On this account it was ordained that no one but a freeman of the city might keep a hostelry or inn[1]. Similar legislation was made for other towns in the *Statute of Winchester*, which also gave greater security to the merchant when travelling by land. "And for more surety of the country the King hath commanded, that in great towns, being walled, the gates shall be closed from the sunsetting until the sunrising; and that no man do lodge in suburbs nor in any place out of the town, from nine of the clock until day, without his host will answer for him. * * And further, it is commanded, That highways leading from one market town to another shall be enlarged, whereas bushes, woods or dykes be, so that there be neither dyke nor bush, whereby a man may lurk to do hurt, within two hundred foot of the one side and two hundred foot on the other side of the way[2]."

A.D. 1285.

A.D. 1285.

In the *First Statute of Westminster* Edward had already shown his care for the protection of traders. Legal effect was given to the old custom[3] that when a ship was stranded it should not be accounted a wreck if a man, cat, or dog, escaped alive from it. The cargo was to be kept by the royal bailiff, and those to whom it belonged might have the

A.D. 1275.

Wrecks.

[1] "Whereas diverse persons do resort unto the city, some from parts beyond the sea, and others of this land, and do there seek shelter and refuge, by reason of banishment out of their own country, or who for great offence or other misdeeds have fled from their own country, and of these some do become brokers, hostelers and innkeepers within the saide city, for denizens and strangers, as freely as though they were good and lawful men of the franchise of the city; and some nothing do but run up and down in the streets, more by night than by day, and are well attired in cloathing and array and have their food of delicate meats and costly, neither do they use any craft or merchandise, nor have they lands or tenements whereof to live, nor any friend to find them, and through such persons many perils do often happen in the city and many evils." *Statuta Londonie.*

[2] *Statute of Winchester*, 13 Ed. I. st. II. cc. 4, 5.

[3] It is referred to as such by Giraldus Cambrensis, *De instructione principum*, I. (*Anglia Christiana*), p. 190. He speaks of the constant disregard of the custom as one of the proofs of the degeneracy of England under the Angevins.

whole restored to them on laying a claim within a year and a day; and this was to hold good whether the rights of wreckage belonged to the king or to a subject[1]. A.D. 1272—1377.

b. Recovery of debts. The policy in regard to debts owing to foreign merchants, which had commended itself to the men of Ipswich as 'convenable for the town'[2], was rendered more general. "Forasmuch as merchants which heretofore have lent their goods to diverse persons be greatly impoverished because there is no speedy law provided for them to have recovery of their debts at the day of payment assigned, and by reason hereof many merchants have withdrawn to come into this realm with their merchandises, to the damage, as well of the merchants, as of the whole realm, the King by himself and by his Council[3]" ordained and established, that when the debt was acknowledged before royal officers in specified towns, they should be impowered under the King's seal to distrain for debt in default of payment. At Acton Burnel this scheme was tried, as in London, York and Bristol; but complaints became current that the sheriffs misinterpreted the statute, so that it was re-enacted in 1285 as a *Statutum Mercatorum*; this was much more explicit, and gave the same sort of facilities in any town which the king might appoint, as well as at fairs. These advantages were abused, possibly by creditors who foreclosed and took possession, under this system, of lands which had been pledged, and the operation of the statute was limited to merchants, their goods and tenements; and in 1311 twelve towns were specified[4] where recognisances for debt might be taken before "the most safe and the most rich men," chosen by the commonalty for the purpose. *Debts.* A.D. 1283. *Foreigners.*

The statute of Acton Burnel had done something to remove the necessity for municipal interference for the recovery of debts, and Edward passed a measure to prohibit unfair distraint for debts; as has been shown above *Unfair distraint.*

[1] 3 Ed. I. c. 4. For cases which illustrate the law of wreckage (1363), see Sharpe, *Calendar of Letters*, pp. xiv and 98, No. 213.

[2] See above, p. 222, n. 3. *Black Book of Admiralty*, II. 115.

[3] *De Mercatoribus*, 11 Ed. I.

[4] Newcastle, York and Nottingham for counties beyond the Trent; Exeter, Bristol and Southampton for the South and West; Lincoln and Northampton; London and Canterbury; Shrewsbury and Norwich. 5 Ed. II. § 33.

A.D. 1272 —1377. it had been usual to hold a man coming from another town, whether English or continental, responsible for the debts incurred by any of his fellow-townsmen. Edward endeavoured to stop the practice so far as it affected the burgesses of any

A.D. 1275. town within the realm. The very terms of the statute show how little homogeneity there was between different parts of the country. "It is provided also that in no city, borough, town, market or fair, there be no foreign person, which is of this realm, distrained for any debt whereof he is not debtor or pledger[1]." It was at least as important that there should be no hindrance to internal trade as that foreign merchants should be led to frequent the realm. Under the same head one may note the protection against the oppressive exaction of tolls in market towns[2], and of payments directly due to the Crown—amercements made on account of offences against the king's peace were to be reasonable, the freeman was to have his freehold exempted, the merchant his merchandise and the villan his wainage[3]; while the rights of prise[4] and purveyance[5] were to be fairly exercised. It is impossible to

[1] *First Statute of Westminster*, c. 23. It is not perhaps a matter of surprise that the merchants from the Welsh marches had to submit to this grievance, a century later, in the English town of Calais. "A tres noble Conseil notre Seignour le Roi monstrent les Countes de Wyrcestre, Salop, Stafford, Hereford, Bristul, et Glouc', que come pluseurs Marchauntz et autres Gentz des ditz Countes travaillent a Caleys ove lour Marchaundies, en profist des ditz Countes et de tout le Roialme; Queux Marchantz et autres gentz plusours foitz sont arestuz, ascun foith pur trespas, ascun foith pur dettes des autres hommes des ditz Countes: Desqueux trespas et dettes les ditz Marchantz et autres gentz n'ount rien a faire, et plusours foitz n'ount conissance de ceux pur queux ils sount arestuz." *Rot. Parl.* II. 352.

[2] *First Statute of Westminster*, c. 31. [3] Ibid. c. 6. [4] Ibid. c. 7.

[5] Ibid. c. 32. "Of such as take victual or other things to the King's use upon credence, or to the garrison of a castle or otherwise, and when they have received their payment in the Exchequer or in the Wardrobe, or otherwhere, they withold it from the creditors, to their great damage and slander of the King, it is provided for such as have land or tenements, that incontinent it shall be levied of their lands or of their goods, and paid unto the creditors, with the damages they have sustained, and shall make fine for the trespass, and if they have no lands or goods they shall be imprisoned at the king's will.

"And of such as take part of the King's debts or other rewards of the King's creditors for to make payment of the same debt, it is provided that they shall pay the double thereof and be grievously punished at the King's pleasure.

"And of such as take horse or carts for the King's carriage more than need and take reward to let such horse or carts go, it is provided that if any of the court so do he shall be grievously punished by the Marshalls."

On the misdeeds of purveyors two centuries later compare 28 H. VI. c. 2.

exaggerate the importance of attempting to give greater security in these respects, though of course we cannot judge how far the statutes were at all effective; but it at least something to have this desire put on record. A.D. 1272—1377.

c. The currency. Edward took active measures to remedy the debasement of the currency of the realm; the Mint was reorganised in his reign, and coinage of an excellent standard was issued[1]. He also endeavoured to prevent the mischief from recurring; it had been chiefly due to the introduction of money from abroad in payment for English wool. He passed a measure *de falsa moneta* which was sternly repressive, and declared all pollards[2] and crocards forfeit unless they were at once brought to the king's exchange; but he also endeavoured to provide against the continuance of the evil by establishing exchange tables at Dover, where foreign merchants or pilgrims going abroad might take their money and have it exchanged for the current coin. The statute takes the form of a writ which was addressed to all the sheriffs throughout England, to the wardens of Berwick, the Cinque Ports and the Channel Islands, the justices of Chester, Ireland, North Wales and Cornwall, and the barons of the Exchequer. Special writs were also addressed to the sheriffs of London and the collectors of customs there, as it was believed that the bad coinage was brought in to pay for wool and the staple commodities of the realm[3]. Exchanging must have been carried on previously, probably by the king's moneyers or some of the officers of the Mint, but the differentiation of this department of business from the coining of money is worthy of attention, as it was symptomatic of the development of English trade; the new arrangement may have been partly due to a desire to take

Currency. A.D. 1299. *Exchanges.* A.D. 1299.

[1] Crump and Hughes in *Economic Journal*, v. 60.

[2] These appear to have been debased foreign coins; the pollards were nearly of the fineness of English sterling silver, but crocards were of a baser white metal according to Ruding, *Coinage*, I. 201. See however Crump and Hughes in *Economic Journal*, v. 62.

[3] *Statutum de falsa moneta.* The king was determined to keep the jurisdiction on this matter in his own hands, but the commonalty of each port were "to choose two good and lawful men of the same port for whom the electors will be answerable," who were to search for and arrest all who were bringing false money into the realm. It is another interesting instance of communal responsibility.

A.D. 1272 —1377.

away all excuse for the exercise of this craft for gain[1] by Jews or private persons.

Goldsmiths. A.D. 1300.

The business of exchange and assay is so closely connected with the work of goldsmiths that it is worth while to call attention here to the statute which regulated their craft; no vessels or ornaments were to be made of worse gold than "of the touch of Paris"; and similarly the touch for silver was to be settled, and no vessels were to be made of worse metal, though they might be made of better. The main interest of the enactment lies in the machinery which was organised to carry out these objects. It was provided that all "the good towns of England, where any goldsmiths be dwelling, shall be ordered as they of London be, and that one shall come from every good town, for all the residue that be dwelling in the same, unto London for to be ascertained of their touch." Thus the London custom was to be communicated to the other towns and to hold good there. The whole work of giving effect to the statute was left in the charge of the wardens of the craft in each town; they were to "go from shop to shop among the goldsmiths" and assay the gold with which they were working; silver was to be marked with the leopard's head, and no articles were to be sold until they had passed the scrutiny of the wardens[2]. This is, so far as I know, the earliest instance when the wardens of a craft gild were recognised by public authority as the agents through whom a parliamentary enactment should be carried out.

When local regulation is superseded by general

To criticise such legislation on the ground that it interfered with the freedom of trade is to misapprehend the whole state of the times,—when there was so little security for person and property, and so many temptations to chicanery and deceit, unregulated trade was not to be thought of. To substitute for the special customs and privileges of each locality general regulations for the kingdom was a great advance; though charters had done much for the places which obtained them, they were of little use for the general

[1] *Cambium minutum*, a fair charge for the trouble involved in the transaction, which was considerable, as the varieties of coinage current in each country made it very difficult to know their worth. Chaucer's Merchant had great skill in this business. *Canterbury Tales*, Prologue. On the coins circulating at Calais in the fifteenth century see Malden, *Cely Papers*, xlix. [2] 28 Ed. I. c. 20.

progress of the realm; for local immunities created local jealousies, and in later history we may see how each town and locality was tempted to demand protection and support against neighbouring rivals. A.D. 1272—1377.

Edward did force merchants to use particular ports, and otherwise limited their freedom to trade as they pleased, while his tariff favoured denizens as compared with aliens; but even if modern enlightenment is justified in condemning these regulations, and this is more than doubtful, we need not forget that our country once suffered from a still greater evil, in the protection of one locality or one market against others in the same shire; by substituting general regulations for the bye-laws of each locality, Edward was really freeing trade. The statutes of Edward I. mark the first attempt to deal with industry and trade as a public matter which concerned the whole state, not as the particular affair of the leading men in each separate locality. We have already noted the high development of Scotch burghs at the commencement of Edward's reign; they never however profited by the example of the southern kingdom, for their trade was managed—so long as management was in vogue—not so much as an affair of state but rather as the business of traders, who met in their own convention[1] and strove to maintain their local privileges and immunities against all rivals. Till the present century, trade in Germany was not freed from disadvantages of the same sort as those which the first Edward did much to remove in our own land, by consolidating the trading interests of the various localities and organising a single body economic for the whole realm, instead of merely perpetuating the intermunicipal commerce which had formerly existed. *trade becomes more free.*

93. The very success of these measures of consolidation, however, brought into clearer relief a difficulty which had been becoming more and more noticeable for several generations. The peculiar position which the Jews occupied in England has been already described[2]; but as time went on, *The Jews;*

[1] Compare the *Records of the Convention of Royal Burghs* 1295—1597, Preface.

[2] See above, p. 200.

A.D. 1272 —1377.

it was impossible that that position should be maintained. They had no place in the social system, but were the personal chattels of the king; and as society was reorganised, and personal connection with the monarch ceased to be the sole bond which held the different parts together, it became necessary that the Jews should no longer occupy an exceptional position, but should take their place as ordinary citizens, submitting to the same laws and adopting the same usages as their neighbours. There were two well-marked characteristics which rendered it impossible for them to be combined with Englishmen on the same footing; they had a different ethical code—Talmudic, and not Christian—in regard to lawful trading, and they had at all events no readiness to betake themselves to actual labour. The frequency of the outrageous charges brought against them shows how easily popular excitement was inflamed. It is by no means probable, however, that the attitude of the Jews was conciliatory[1]; they were said to be more outspoken in their contempt of Christianity as they grew in wealth; and the story of their attacking a religious procession at Oxford serves at all events to illustrate the fact that embittered feeling existed[2] and rendered it impossible for the Jews to live under the protection of the ordinary law of the land.

their expulsion

When there was so much incompatibility of temperament we may surmise that but little was needed to determine Edward to decree their banishment; it is at least interesting to remember that he was following the example of the great baron[3] from whom he had learned the elements of the military art as well as the importance of representative government. Parliament had urged this expulsion nine years before it actually took place; the state of the currency, which engaged Edward's attention at a later time[4], may have served as an excuse, and it is possible that some pressure was exercised by ecclesiastics. The Lateran Council had taken

demanded

A.D. 1215.

[1] Tovey, *Angl. Jud.* 208.

[2] Ibid. 168.

[3] Simon de Montfort expelled the Jews from Leicester, and gave a charter promising that they should never return. James Thompson, *History of Leicester*, p. 72. Compare also Newcastle, Brand, II. 140.

[4] See above, p. 283. The reiterated accusation against the Jews for clipping the coinage had led to a terrible massacre of them in 1279.

action in the matter[1]; and a synod at Exeter in 1287 had followed suit with ordinances as to dress and behaviour which tied them down more strictly than before[2]. But whatever the precise occasion may have been, there was a political necessity that persons, who either could not or would not conform to the usages of their neighbours and make a living by ordinary callings[3], should remove from the society which king Edward was reconstituting. A.D. 1272–1377.

and enforced.

It is notorious that king Edward did everything in his power to alleviate the misery which their banishment must cause them[4]. The strongest inducement was put on Englishmen to pay their debts to the Jews before they departed, as those who did not pay a moiety to the Jews remained in debt to the Crown for the full amount due, till it was remitted by Edward III.[5] The prior of Bridlington had not repaid any portion of the £300 borrowed by him from Bonamy, a Jew of York, at the time of the expulsion; the Archbishop of York had connived with the prior at concealing the fact that this money was owing to the king, and was, as a consequence, impeached and condemned to pay a heavy penalty for his share in the transaction[6]. At the time of the actual banishment special injunctions were given to the warden of the Cinque Ports as to the treatment[7] of the Jews, and condign punishment was inflicted on the malefactors who chose to disregard the royal wishes in this matter. The total numbers expelled are variously stated at fifteen or sixteen thousand; but there is some evidence to show that a considerable section remained behind, and Jewish tradition speaks of 1358 as a year of final expulsion[8]. From a petition in the Good Parliament it appears that even after that date some of them continued to carry on business in the character of Lombard merchants[9]. Some few may have been allowed to return; a Jewish physician named Elias Sabot came from Bologna and was allowed to settle and practise in A.D. 1290

How far complete.

A.D. 1410.

[1] Mansi, *Concilia*, XXII. 1055.
[2] Tovey, *Angl. Jud.* 309.
[3] *Statutes of Jewry*. (Record Edition, I. p. 221.)
[4] Abrahams, *op. cit.* 70.
[5] 1 Ed. III. st. II. c. 3.
[6] *Rot. Parl.* I. 99 (13), 120 a.
[7] Tovey, *op. cit.* 241.
[8] L. Wolf in *Anglo-Jewish Exhibition Papers*, p. 57.
[9] *Rot. Parl.* II. 332 (58).

A D. 1272 —1377. any part of the realm[1]. The continued maintenance of a Domus Conversorum till the seventeenth century suggests that there were at any rate persons of Jewish descent in the country, from whom a supply of residents was maintained[2]. There is more reason to believe that the number of Jews living in England was considerably increased by migration from Spain at the time when Ferdinand and Isabella expelled

A D. 1492. them thence; it is certain that they did not scruple to endeavour to recover their debts in English courts of law[3], and they are said to have built a synagogue for themselves in London.

Italian merchants

94. When the Jews were thus expelled the feeling against other aliens asserted itself more vigorously than before. Englishmen were coming to be able to undertake some of the business that had been carried on by the Jewish financiers; for it appears that there were several native-born subjects, or naturalised aliens[4], who had amassed money[5]. There must have been opportunities of doing so, as there was a steady flow of bullion into England during the reign of Edward I. and very large amounts of silver were coined at the Mint[6]; and someone must have profited by the partial remission of the debts due to the Jews, and by the confiscation of the hoards of the Templars. Those who were enriched by these violent changes had good openings for using their money remuneratively. They could undertake all sorts of business for the king, such as farming the revenue, or the customs; this was one source of the vast wealth of William de la Pole[7]. They might also obtain subsidiary offices in connection with the customs, such as that of weighing the

[1] Rymer, *Fœdera* (orig.), VIII. 667. On the complaints against Gaunse in the time of Elizabeth see I. Abrahams, *J. Gaunse* in *Trans. of Jewish Hist. Soc.* IV.

[2] Wolf in *Anglo-Jewish Exhibition Papers*, 54. The baptism of a Jew named William Piers in 1391 is mentioned by Stow, *Annales*, 492.

[3] Wolf, *op. cit.* 60. *Calendar of State Papers* (Spanish), I. No. 89.

[4] It is not easy to distinguish the Lombard alien from the Lombard citizen. Bokerel, Mayor in 1223, whose name survives in Bucklersbury, is said to have been one of a Pisan family of Boccherelli by Kingdon, *Archives*, xi. Stow notes that the Vintner's Company included "as well Englishmen as strangers born beyond the Sea," but subjects to the king of England. Strype, Stow I. bk. III. p. 2.

[5] Compare the paper by Miss A. Law on *The nouveaux riches of the XIV century* in *Royal Historical Society's Transactions*, 1895.

[6] Messrs Crump and Hughes, *op. cit.* p. 65.

[7] He farmed the tax on wool in 1339 (*Rot. Parl.* II. 114 No. 22, 23) and complaint was made of his extortionate conduct in this affair.

wool[1], or weighing goods by *aver-du-pois*[2]; they might collect and sell the wool which was voted for the royal necessities[3]; or they might make direct advances to the crown. Englishmen who had amassed capital were beginning to compete with the Lombards in all these branches of financial business[4], and parliament sided strongly with the natives and complained bitterly of the misdeeds of the great Italian banking companies. John Van and his Lombard partners, who farmed the business of Exchange, enjoyed ample privileges[5]; it was said that they neglected their duties and rendered no accounts[6]. Edward III. had frequent recourse to Italians[7], but he was also under considerable obligations to native merchants; in 1339 he appears to have driven a very hard bargain with the Bardi in connection with a contract for wool[8]; while he also postponed the repayment of money he had received[9]. This 'stop of the exchequer' must have acted almost as effectively as the formal expulsion, which had been long before proposed[10], in driving away the Italians from England. By the pressure put on them the resources of the Bardi were exhausted, and their ruin in 1345 served to shake the prosperity of Florence to its very foundations[11]; from that time onwards, the public financial business, which the Lombards had inherited from the Jews, passed almost entirely

A.D. 1272—1377.

A.D. 1309.

Ruin of Bardi 1345.

[1] The importance of this office is illustrated by a complaint at Southampton. *Rot. Parl.* II. 38, No. 39, 40. See also Hall, *Customs*, II. 51.

[2] On the privileges of the Pepperers as the King's Weighers compare Kingdon, *Grocers' Archives*, p. xiii. See below, p. 323.

[3] *Rot. Parl.* II. 108, No. 10, 120, No. 19 &c.

[4] The papal business appears to have remained in the hands of Italian merchants as depositaries (Gottlob, *Aus der Camera*, 109), but English Ecclesiastics were sometimes nominated as collectors (Rymer, *Fœdera*, I. ii. 705, 8 Feb. 1289), also in 1377. *Rot. Parl.* II. 373, No. lxi.

[5] Rymer, *Fœdera*, II. i. 68. John Van and his companions are here described as citizens, in the Rolls of Parliament they seem to be spoken of as Lombards.

[6] *Rot. Parl.* I. 293, No. 23. [7] Bond in *Archæologia*, XXVIII. p. 256.

[8] *Rot. Parl.* II. 121, No. 26. See also 143, No. 58.

[9] In 1339. The Bardi and Peruzzi were excepted. Rymer, *Fœdera*, II. ii. 1080.

[10] By Bishop Roger of London in 1235. Matthew Paris, *Chronica Majora*, III. 331.

[11] Peruzzi, *Storia dei banchieri*, 452, 459. Compare also the interesting appeal in 1358, made by the authorities of Florence for royal bounty to save the children of King Edward's ruined creditors from utter destitution. Ellis, *Original Letters*, Series III. Vol. I. p. 42.

A.D. 1272 —1377. into English hands. The ruin and partial withdrawal of the Italians[1] was not wholly a matter of congratulation, for they left many debtors behind—probably depositors whose money had been swept away in the crash[2]; their place was partly taken for a time by a group of Flemish bankers[3], who were before long the victims of Wat Tyler's rebellion; but on the whole it may be said that during the reigns of the Edwards this large department of profitable business passed out of the hands of Jews or Lombards into those of native Englishmen.

Flemings and Gascons encouraged to trade by the Crown

It is much less easy to describe the precise attitude which was taken, either by the Crown or by the townsmen, towards the merchants of Gascony and Flanders. Edward was inclined to favour the latter as his allies; the former were his subjects, and their country afforded the principal basis for his operations in France. The advantage which accrued from the visits of these foreign merchants, who imported wine like the Gascons, or exported wool, had been generally recognised. The clauses of *Magna Carta*[4] had granted freedom to foreign merchants; and the towns, in their municipal regulations as well as by their representatives at Acton Burnel, had shown themselves anxious to encourage foreigners to come here with their wares[5]. As a matter of fact unless aliens brought them, there was little chance of the country being supplied with articles of foreign produce at all; the presence of merchants from abroad also facilitated the sale of English wool in some ways, and parliament was sometimes inclined to rely exclusively on aliens for the transaction of this necessary business[6]. They were indeed forced to pay customs at a higher rate than denizens; but this does not appear to have told seriously in regard to the exportation of any article but

A.D. 1369.

[1] Florentine Houses had factors at Lincoln in 1376. *Rot. Parl.* II. 350, No. 160. Compare also above, p. 289, n. 4.

[2] "A large part of the money they had lent was not their own capital, but had been borrowed by them or received on trust from fellow-citizens and strangers." Villani quoted by Bond in *Archæologia*, XXVIII. 259. See also *Rot. Parl.* II. 240, No. 31.

[3] Stubbs II. 532. Varenbergh, *Relations*, 423. The Commons in 1381 beheaded as Flemings all those whose pronunciation of bread and cheese indicated that they were of foreign extraction. (Stow, *Annales*, 458.) Some of the Flemings were offensive, as pursuing disreputable callings (*Ib.* 452).

[4] §§ 41, 42. [5] See for Ipswich, *Black Book of Admiralty*, II. 115.

[6] 43 Ed. III. c. 1. See below, p. 315.

raw wool; and so far as the importation of wine was concerned they were hardly at any disadvantage at all. During the reign of Edward II. the expedient was temporarily tried of removing the chief burdens which they bore in addition to those charged to denizens; this step seems really to have been due to a city intrigue[1], and when this failed the new customs were reimposed. On the whole it appears that, in the early part of the fourteenth century, the rising class of English merchants were engaged in shipping to a considerable extent; we read complaints of the difficulties to which their trade was exposed in Norway[2], in France[3], in Holland[4] and indeed 'in all realms[5].' But, though it is very difficult to follow the course of events, the English shipowners appear to have been at a disadvantage during a great part of the reign of Edward III., and they were almost driven from the field[6]. It was not till the reign of Richard II. that they established their footing in foreign trade; his Navigation Act struck a blow at the Gascon merchants, and the export trade of the country was coming to be organised in the hands of the Merchant Adventurers as well as the Staplers.

A.D. 1272—1377.

A.D. 1310.

In the reign of Edward III. then it seems that English merchants were practically excluded from foreign trade, and the struggle against aliens was chiefly waged about the internal trade of the country. There was a deep-seated feeling of jealousy against such aliens as settled here and interfered with Englishmen who were dealing among each other; they were not wanted for retail trade, and were prevented from following it. The London citizens had formulated their own customs for alien merchants, but they were not able to enforce them, and they complained to Edward I. that the citizens, who bore the common burdens of the town, were impoverished by the competition of foreigners, whose stay was unlimited and who

but not to interfere in retail or internal trade.

A.D. 1290.

[1] The duties had been imposed by charter in 1303, and the Londoners argued that when the extra customs were abolished the privileges were also at an end. Delpit, *Collection*, p. 42 fol. Schanz, *Handelspol.* I. 393. See above, p. 277, n. 4.

[2] Rymer, II. 288, 400.

[3] Ibid. II. 132, 248.

[4] Ibid. II. 80.

[5] The phrase occurs in a petition to Clement VI. in 1350. Riley, *Mem.* 252.

[6] A tradition as to the insignificance of English shipping, even in the fifteenth century, remained in the Low Countries. De Witt, *Interest of Holland*, 278.

A.D. 1272—1377. carried on business that had formerly been done by natives[1]. The townsmen wished to keep the retail trade in their own hands, as well as the business of catering for the alien merchants; they disliked any interference with callings that were already established, and they had grave suspicions against the aliens of forming rings and enhancing prices[2] if they sold to one another. But perhaps the chief antagonism of the native to the alien merchant arose from the police system of the City, which had come in the fourteenth century to be closely connected with the gild organisation; no one could obtain the freedom of the City unless men of the same mistery were ready to undertake for him. The alien who continued residing in London was neither under authoritative control nor was he liable for his fair share of taxation.

Police responsibility.

A.D. 1327. Hence in his first charter Edward III. straitly commanded "all merchant strangers coming to England to sell their wares and merchandises within forty days after their coming thither, and to continue and board with the free hosts of the City (and other cities and towns in England) without any households or societies by them to be kept[3]." The host was responsible for the behaviour of his guests, and for seeing that they did not carry English coin out of the realm or evade commercial regulations[4]; on the other hand there is occasional evidence that the free hosts abused their monopoly, and charged exorbitantly for poor accommodation[5].

Hosts.

Statutes in their favour, A.D. 1335, In the ninth year of this reign, however, parliament passed a statute conferring very large privileges on aliens: it enacted that "all merchant strangers and English-born and every of them, of what estate or condition soever . . . might without interruption freely sell the same victuals or wares to whom they would, as well to foreigners as English-born," and this in despite of any local charters to the contrary[6]. The citizens of London, however, claimed the A.D. 1337, privileges conferred on them in the recently confirmed Great

[1] The king would not interfere. Rex intendit quod mercatores extranei sunt ydonei et utiles magnatibus et non habet consilium eos expellendi. *Rot. Parl.* I. 55 (112).

[2] *Rot. Parl.* II. 332 (59). [3] Noorthouck, *History of London*, p. 788.

[4] 9 Ed. III. st. ii. c. 11; also Cunningham, *Alien Immigrants*, 92.

[5] Jusserand, *English Wayfaring Life*, 126 f. [6] 9 Ed. III. I. st. i.

Charter; and Edward, by a charter in the eleventh year of his reign, ordained that nothing should be done by pretext of the late statute which infringed the ancient privileges of the City[1]. The privileges conferred on aliens were somewhat enlarged by another statute, which asserts the right of foreigners to sell to foreigners, all over the kingdom, and sets aside all charters that would hinder them. Possibly as a result of this legislation, however, we find renewed complaints of encroachments towards the end of Edward's reign, and notably in the Good Parliament[2]. The answer which was given to the petition was embodied with more precision in a final charter granted by Edward III. to the City of London; it ordains that no stranger "shall from henceforth sell any wares in the same city or the suburbs thereof by retail, nor be any broker in the said city or suburbs thereof, any statute or ordinance made to the contrary notwithstanding," with the exception that the privileges of the merchants of the Hanse League were carefully preserved[3].

A.D. 1272–1377. *and London charters.*

A.D. 1376.

The struggle between denizens and aliens has many aspects; not only did it involve the question of shipping, and give rise to mutual recrimination about extortionate prices, but it was to some extent a rivalry between old and new centres of trade. Up till the time of Edward III. the greater part of the wholesale trade of the country had been done at fairs which aliens were free to frequent[4]. The policy of the fourteenth century[5] was to draw the trade into staple towns and not to be satisfied with the occasional opportunities of trade which the fairs afforded.

95. The end of the thirteenth and beginning of the fourteenth century may be taken as the culminating point of a long period of steady and solid progress. The towns,

Zenith of mediæval prosperity.

[1] Noorthouck, p. 790.

[2] *Rot. Parl.* II. 332 (59), 347 (143). In these petitions the dearness of imported goods is referred to, but apparently as due to the decay of English shipping, or to combinations among aliens.

[3] Noorthouck, p. 792. Schanz, *Handelspolitik*, I. 175.

[4] On the decay of fairs, see below, p. 451.

[5] Signs of the same tendency are found in Norway, where Bergen was a staple for the Iceland trade (p. 418), and in France, where Philip tried to induce the English to frequent the staple at S. Omer instead of the fair at Lille in 1314. Rymer, II. i. 248.

A.D. 1272—1377. which were the centres of commercial life, were prospering greatly, and many of them had secured full powers of self-government; their vigorous young life was free to shape itself in the forms and institutions that seemed most favourable under the circumstances of the time. So much attention had been given to the good government of the country generally, that intercommunication was more easy and commerce more secure; while it had not yet advanced so far as to render the gilds merchant and kindred organisations in each town needless, and therefore restrictive, institutions. Municipal regulations were not sensibly weakened, because they were reinforced and their scope extended by parliamentary authority. So far both these powers were working harmoniously on the whole, and there were admirable social facilities for commercial and industrial progress.

Good government.

We have ample evidence that this progress was real, and was generally diffused throughout the country. All sorts of arts were cultivated with extraordinary success in the time of Edward I. The monuments of the twelfth century seem to be more substantial, though their apparent massiveness has sometimes concealed grave structural defects, but there is a grace and refinement about the choir of Lincoln and the nave of York to which the earlier buildings can make no claim. Nor was architecture the only art these men cultivated with success; the west front of Wells shows us their sculpture; the seven sisters at York are specimens of their glass painting; their metal work was excellent and their bell foundries unrivalled[1], and their embroidery was celebrated all over Europe.

Arts.

There is hardly any token of general prosperity on which we may rely with more confidence than the fact that many people are able and willing to expend money in building; and the buildings of the thirteenth and fourteenth centuries were not merely ecclesiastical. The great fortresses which Edward I. erected in Wales are interesting illustrations of the military engineering of the day, and show what pains the king took to render the principality secure and orderly. The improved system of estate management and account,

Building.

[1] Denton, *Fifteenth Century*, 54.

which had come into vogue under Henry III., appears to have borne fruit in many rural districts, for manorial halls were erected on the domains[1], and massive stone barns[2] began to supersede the wooden erections, of which a few examples still survive[3]. The reconstruction of London in masonry was going on, and free towns were being laid out on the most approved principles. In town and country alike building was proceeding apace, and better provision was being made for all sorts of different purposes—ecclesiastical or military, rural or urban. Especially we find that attention was directed to the improvement of communications between different parts of the country, and bridges[4] were repaired or constructed in many places; this is in itself an indication of commercial activity. A.D. 1272—1377.

96. The great change, which was completed during this period, in the mode of raising revenue is another proof of the steady increase of wealth. The experiment of levying taxes on moveables as well as on real property had been first made by Henry II., and this had come to be one of the main sources of revenue, when the tenth and the fifteenth were definitely fixed in 1334. There were, however, difficulties about the mode of assessment, which was sometimes arbitrary and extortionate; special complaints had been made as to the manner in which the tax was levied in 1332[5]. When a similar grant was made in 1334, it was provided that the royal commissioners were to treat with men of the townships and tenants of ancient domain, as well as with the towns and burghs, and to agree on a composition which should fairly represent the proportion which that town or village should

Fiscal arrangements.

A.D. 1188.

Tenth and Fifteenth.

[1] The twelfth century manor house consisted of a large hall in which the lord and his retainers dined, and lived and slept; the chapel, kitchen and other rooms were separate buildings within the court yard (*curia*) connected with the hall by covered passages (*aleiæ*) of wood (Turner, *Domestic Architecture*, I. 59). Towards the end of the century it became common to attach a building to the hall, the chamber on the first floor of which (*solar*) was entered by a staircase from the hall; the space underneath was used as a cellar. There are also several examples of houses which seem to have had no hall but consisted of a lofty cellar on the level of the ground, and a solar above it (Turner, I. 5, 6).

[2] There are good examples at Bredon in Worcestershire and Bradford in Wilts.

[3] As at Wigmore Abbey in Herefordshire.

[4] Jusserand, *English Wayfaring Life*, 45.

[5] *Rot. Parl.* II. 418, No. 105.

A.D. 1272 —1377.

be called upon to pay[1]. The payment, which was agreed upon by the representatives of the king and of each locality respectively, was henceforth regarded as the sum which ought to be contributed by that place when parliament granted a fifteenth and a tenth, and no subsequent valuations and reassessments were required. The total sum obtained at this time was nearly £39,000, and from that time onwards a fifteenth and a tenth became a mere 'fiscal expression[2]' for a grant of about £39,000. Englishmen were always endeavouring to render their liabilities definite and import an element of 'certainty' into the taxation they had to pay; the Tudor subsidies and parliamentary assessments, as well as the land tax, were all converted from flexible into fixed methods of raising revenue[3]. From an economic standpoint the change was most advantageous; the taxes levied on real property from time to time were as objectionable as taxes on capital would be in the present day: they swept away hoards which might have been expended on improved buildings, or roads or bridges, or which at any rate would enable the farmer to live through a famine year; they drew directly on possible sources of future wealth. But in levying taxes on moveables it was possible to make exemptions in regard to the requirements of public service, the necessaries of life and the prime essentials of future production, though these exemptions were dictated by equitable rather than by economic considerations. The stock of the farm was taxed, but the food and provender in the possession of the villain was exempted in 1225[4]. In some of the later assessments there was a definite limit, and those whose total wealth fell short of ten shillings[5] were exempted altogether, as people with incomes of less than £160 are excused from the payment of income-tax in the present day. Once again we may see that the principles which were implied in early practice, though not perhaps explicitly put forward, have been stated and defended by modern writers and financiers as economically sound.

Pressure of taxation.

Customs.

The practice of raising a large revenue from exported

[1] *Rot. Parl.* II. 447, No. 104.
[2] Dowell, *Taxation*, I. 87.
[3] Ibid. I. 88.
[4] See above, p. 152.
[5] *Rot. Parl.* II. 447, No. 103.

wool was also apparently very defensible. When the foreign demand for English wool was large and growing, the expense of the payment would fall on the foreign consumer; but even if the duty in any way reduced the price which foreigners were willing to pay for wool and the imports were not so large as when trade was free, the pressure which fell on the English consumer of foreign produce would be comparatively unimportant, for England provided herself with all the main requisites of production[1]; and a slightly increased price of wine, fine cloth and silk would not be a serious injury to the industry of the realm. A.D. 1272—1377.

97. At the same time the inventories taken for purposes of assessment show clearly that, if there had been an increased accumulation of wealth, the ordinary householder had but a small command over the comforts and conveniences of life. A dwelling with an earthen floor, with no carpet, and in which there was hardly any furniture, where meat was served on spits for want of earthenware plates and there was no glass for drinking out of, would seem to imply the lowest depths of squalid poverty; but royal palaces were little better provided till after the time of John[2], and well-to-do burgesses lived in some such fashion at the end of the thirteenth century. As a matter of fact, life in the middle ages was far more social than it is now; the churches and the halls were the places they frequented; occasional pageants provided them with instruction and amusement; there was little privacy, and hardly any attention was given to private comfort. This is one of the chief difficulties which confront us if we try to compare the condition of the people in different ages; if we merely consider what he could get to eat, the mediæval labourer was often better off than the unskilled labourer of the present day; but he seems to have been worse housed and worse clad. After all, in regard to all such comparisons we must remember that the life is more than meat; it is probable that a mediæval workman who awoke in the present generation would greatly miss the social gatherings in which he had taken part, and that if a modern artisan could be transplanted into the thirteenth

Comforts and conveniences of life.

Impossibility of comparison with present day.

[1] Fish was perhaps an exception. See p. 299 below. [2] Turner, I. 97—104.

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century he would find little to compensate him for the loss of his tea, his newspaper and his pipe.

Mediæval progress, how checked.

For our purpose it is more important to notice that the steady progress of the twelfth and thirteenth centuries was suddenly checked in the fourteenth; the strain of the hundred years' war would have been exhausting in any case, but the nation had to bear it at a time when the Black Death had swept off half the population and the whole social structure was disorganised. We need not wonder that the long reign of Edward III. closed amid signs of general discontent and misery, and that the fifteenth century was, with some important exceptions, a time of decay and ruin both in rural and urban districts. A period of recovery came at last, but not till the old social conditions had greatly changed, and the revived industrial life was organised in institutions differing in many respects from those which were working so successfully in the time of Edward I.

III. Beginnings of Commercial Policy.

98. We have already seen reasons for believing that Edward III.'s foreign policy was affected, if not dictated, by commercial considerations; and it is necessary that we should now enquire into the nature of the objects which he had in view. The *Dialogus* assumes that prosperity is a good thing[1], but Edward III.'s legislation implies definite schemes as to the best way of obtaining wealth. There was one distinct practical object which was pursued throughout his reign, and there were others which were less prominently brought forward. He endeavoured (*a*) to foster foreign commerce, (*b*) to foster industries, and (*c*) to check extravagance by sumptuary legislation.

The means for material prosperity.

Foreign commerce fostered.

a. There were two reasons why Edward III. might be glad to see the development of foreign commerce. It brought him in a revenue by means of the customs he charged, as has been obvious in previous reigns, when so

[1] See above, p. 231.

much attention was given to the collection of revenue[1] and the organisation of a customs department[2]. The export trade in wool had so much increased, that the customs from this one article afforded a very large revenue; this was one of the main supports on which Edward relied for the maintenance of his armies in the field. But while there was every reason to attend to this department of finance, he and his subjects also valued foreign commerce on the grounds which led Ælfric's merchant to magnify his office[3]; it afforded the means of supplying all sorts of goods, which were not produced in England, plentifully, and therefore at a cheap rate. To make imports cheap to the English consumer, and to obtain a good sale for English exports, were the implied principles of Edwardian statesmanship; and they come out most clearly in the regulations made for the wine and wool trades respectively. A.D. 1272–1377. *Cheapness to the consumer.*

The attempt to give effect to this policy would earn the approval of all traders who were connected with the export of wool, but it involved a conflict with certain vested interests and especially with the Fishmongers, who were powerful representatives of the victualling trades. The nature of the grievances alleged against them comes out most clearly in the preamble of the statute which confers full freedom of traffic on their alien rivals. "Great duress and grievous damage have been done to the King and his people, by some people of cities, boroughs, ports of the sea and other places of the said realm which in long time past have not suffered nor yet will suffer merchant strangers, nor other which do carry and bring in by sea or land, wines, *aver-du-pois*, and other livings and victuals, with divers other things to be sold, necessary and profitable for the King, his prelates, earls, barons and other noblemen, and the commons of this realm, to sell or deliver such wines, livings, or victuals, or other things to any other than themselves of the cities, boroughs, ports of the sea, or other places where such wines, livings or victuals, and other things to be sold shall be brought or carried, by reason whereof such stuff aforesaid is sold to the King and his people, in the hands of the said citizens, A.D. 1335.

[1] See above, p. 156. [2] See above, p. 278. [3] See above, p. 132.

A.D. 1272—1377. burgesses and other people, denizens, more dear than they should be, if such merchant strangers which bring such things into the realm might freely sell them to whom they would[1]." Aliens appear to have taken great advantage of

A.D. 1343. the freedom thus accorded, for in the seventeenth year of Edward III. it was found necessary to subject them to direct taxation, according to the length of their sojourn, when it exceeded forty days[2].

English merchants retorted by bringing the same accusation against their rivals, for we read how the burgesses

A.D. 1376. complained at a later date that the combinations of merchant strangers were to blame for greatly enhancing the price of all sorts of foreign merchandise[3]. The desirability of providing the consumer with foreign goods on moderate terms, is generally assumed as a primary end to be kept in mind.

Protection for merchants. These were the objects which Edward appears to have kept before him in trying to encourage foreign trade; among the means he adopted we may notice the increased facilities which were given to travelling merchants[4]. A

A.D. 1330. statutory limitation was imposed as to the fare which might be charged between Dover and Calais[5]; it was fixed at sixpence for a man on foot and two shillings for a man with a horse. An attempt was also made not only to protect their pockets, but their persons on the journey[6]. Edward I. had endeavoured to provide safe travelling for those within the realm, but Edward III. made a beginning of affording

Perils of the sea. protection on the seas. The dangers of travelling by sea in those days were enormous; apart altogether from the dangers from perils of the deep, the whole Channel was infested with pirates. The mouth of the Rhine, Calais and

[1] 9 Ed. III. st. I., preamble. See also c. 1.

[2] *Rot. Parl.* II. 137 (13). [3] Ibid. II. 332 (59).

[4] There were organised associations of 'hackney-men' in the fourteenth century who let out horses to hire, and sometimes had them stolen. A patent of 19 R. II. granted additional privileges to those who worked the Dover Road: "Ampliores libertates concessæ hominibus vocatis Hackneymen inter London et Dovorem pro conductione equorum suorum ac precium cujuslibet itineris ac inter cætera quod conductio restituatur si equus in itinere deficiatur." *Calend. Rot. Pat.* 230 b. No. 8. See also Turner, *Domestic Architecture*, 119.

[5] 4 Ed. III. c. 8.

[6] Providing shelter for wayfarers and pilgrims was a recognised form of medieval beneficence, Clay, *op. cit.* 1—14.

S. Malo are mentioned at different times as being their chief haunts, and a very powerful association of pirates was allowed to ravage the North Sea and the Baltic. The Hanse League had availed themselves of the dangerous aid of these freebooters during their struggle with the king of Denmark which was closed by the treaty of Stralsund; but they were not immediately able to put down the evil they had allowed to spread, though the great organisation of pirates known as the 'Victual Brothers[1]' was broken up after the great naval defeat off Heligoland in 1402. They had burnt Bergen in 1392, and under their leaders, Stortebeker and Michelson, had specially devoted themselves to preying on merchants who frequented English ports[2]. Yet Englishmen were quite as unscrupulous in regard to depredations, for the ordinary shipmen were hardly above having recourse to amateur piracy when occasion served[3]. The portrait which Chaucer[4] drew, gives us the best picture of the conditions under which trading was then carried on[5].

A.D. 1272–1377.

A.D. 1370.

[1] Zimmern, *Hansa Towns*, 126.

[2] A pitiful complaint in 1383, from the men of Scarborough, shows us the nature of the perils to which they were exposed; as their town lying open to the sea was day after day assailed by Scots, Frenchmen and Flemings in their ships, and though they had provided a barge and balinger for their own protection, they were unable to provide an effective defence without aid in manning these ships. *Rot. Parl.* III. 162 (46).

[3] Compare the complaint as to the conduct of the men of the Cinque Ports in 1264, *Annales Monastici*, IV. 157.

[4] *Canterbury Tales*, Prologue. The Shipman.

[5] The *Records of the Scotch Burgh Convention* are full of interesting illustrations of these points, two centuries later.

In regard to Piracy, those burghs provided at their own expense:

Inlykemaner, that it be proponit to my Loird Regentis Grace and Loirdis foirsaidis, in cais the Quenis Majestie of Ingland will grant and consent that sum of her schippis sall remane upovn her sea coistis and watteris for purging of the saymn of pyratis, and vtheris wicked personis, That inlykwayis it may be grantit be his Grace and Loirdis foirsaidis to the merchantis of this realm, upon their commoun chargis to set furth ane ship with ane bark for purging of our Soueranis watteris of the saidis pyrattis and wicked personis, and for convoying the shippis of this realme langis the cost of Ingland, and vtheris pairtis needfull, from the danger of innemeis, during sic tyme as we sall fynd gude; and incais the samyn be grantit, the commisaris of the burrowis foirsaidis gevis thair commissiovn and full powar to the provestis, baillies, and counsaillis of Edinburgh, Dondye, Abirdene and Stervelyng for the said schip and bark to provyde men, meit, mvnition and all vther furnvsingis necessaer thairto, during quhat time they sall think gude. (1574), I. 27.

At one time the Isle of Wight was practically in the possession of a certain

A.D. 1272—1377. Intermunicipal arrangements may have sufficed in order to recover debts, and to prosecute civil suits[1], but the towns were not able to protect burgesses from violence in distant places, or to obtain redress from sailors who belonged to no recognised centre of trade. Under these circumstances,

F.D. 1313. appeal was made to the king; as when some Lynn sailors[2] were imprisoned by Haco, king of Norway. The simplest

Reprisals. means of giving some sort of redress was to allow the aggrieved party to seize the goods, in England or on the seas, of men who hailed from the same region, in the hope that the penalty would fall on the right shoulders at last. Thus when Bordeaux merchants had their wines taken from them

A.D. 1320. by Flemish pirates they procured letters of reprisal against Flemish merchants in England[3]. The injurious effect on the honest trader of this granting of letters of reprisal can hardly be exaggerated, as the prospect of recovering the loss from a fellow-subject must have been small; but it must have been even more hopeless for a trader to have his goods taken on account of a debt incurred by the king to some foreigner:

John of Newport, who added piracy to his other crimes: "for he and hus hath do so meny gret offencis in the See abouto the Ilond, in morthering the kingis people and hus frendis, castyng them owte of har vessellis into the See as thei have be comyng to the port of Hampton, bi the which the kinggis Costumes of his port of Suthampton hath be lost, bi his riot kept uppon the See, of v or vi M. marks in a yere." *Rot. Parl.* v. 204 (2).

[1] The royal power was also called into requisition to enforce demands for redress where the municipal authorities failed. "Testatum est per Cancellarium et clericos Cancellarii quod quando communitas alicujus villæ testatur per commune sigillum eorum quod ipsi per bonam probationem et testimonium fide dignorum intellexerunt quod illi cui Rex scripsit noluerunt parere mandato suo, quod extunc Rex faciat arestare infra regnum suum bona hominum parcium illarum ad valenciam &c. Ideo querens (Henry Gare, merchant and citizen of Norwich) habeat breve de Cancellario ad arestandum et salvo custodiendum &c., hoc tamen adjecto, quod nichil de bonis arestatis amoveatur absque Consilio Domini Regis." *Rot. Parl.* i. 200 (56).

[2] Rymer, *Fœdera* (Record), II. i. 206, 207. See also for Grimsby merchants, II. i. 110, 133. The Lincolnshire and Norfolk coast may have been specially exposed to attack, but there is frequent mention of mishaps attending Lynn vessels. A ship with lampreys and other supplies bound for Perth was attacked by Stralsund pirates, who slew some of the crew and carried off the cargo to Aberdeen, where they sold it. The Stralsund authorities treated with scorn all letters demanding redress, and Edward II. had to interfere (1318). Delpit, *Collection*, No. CVII. The arguments about a robbery at Boston Fair by some Zeelanders (1353), the responsibility of the community, and the mode of procedure, are given by Blomefield, *Norfolk*, XI. 344.

[3] *Rot. Parl.* I. 379 (74).

yet this was the fate of an unhappy merchant of York, who lost £109 worth of wool, which was taken by a Flemish noble on account of a debt due from Edward III.[1] That the fear of reprisal acted as a deterrent to keep men from trading need scarcely be pointed out. The merchants of the Abbot of Fécamp were threatened with being held liable for some losses incurred at the hands of their masters, and not unnaturally absented themselves from England[2]. During the fourteenth and fifteenth centuries a sort of licensed private warfare was threatened or carried on between English merchants and people of Norway, Prussia, Flanders, Scotland, Spain and Genoa. Even if it was the only way of putting pressure on foreigners to look after the piratical tendencies of some of their subjects, it must have been ruinously costly.

A.D. 12—1377.[77] A.D. 137

A.D. 1327

The assertion of the *sovereignty of the sea*[3] was a states- *The sovereignty of the sea.*

[1] *Rot. Parl.* II. 353 (178).

[2] To the petition of John de Barton, and his fellowes English Merchants, shewing, That whereas they were within the jurisdiction of the Abbot of Fiscamp with a certain ship, laden with diverse Merchandize, the said Abbot and his Men entered the said Ship, and the goods and chattels &c. to the losse of cc. li. which summe is found in the Chancery for which hee should make restitution; who obeyed not; of whom our Lord the King is certified in his Chancery: whereof hee comanded sundry Sheriffes by his writs to levie to the value of the foresaid goods of the Merchants of the foresaid Abbot coming into England, which Merchants have absented themselves from England. Wherefore they pray that it would please the King to grant a Writt of the said Exchequer to bee made against the said Abbot of his goods and chattels, lands and tenements, which he hath in England. It is answered, Let the Petition be delivered in Chancery, and let the petitioners come thither, &c. And if the Abbot be found a tresepasser or mainteyner or that the goods come to his proffit, then let execution be done. *Rot. Parl.* II. 439.

[3] The title *Dominus Maris Anglicani circumquaque* had been explicitly claimed by Edward III. early in his reign, and when by the taking of Calais he had established English power on both sides of the Channel, he coined a golden noble, an engraving of which may be seen on the title-page, and which had on the reverse, a ship and a sword, to serve as emblems of sovereignty at sea. The earliest document which asserts this right is a memorandum of 12 Edward III. The claim to the sovereignty of the sea involved many rights—those of fishing and diving for pearls, or of property in the products of the sea; rights of taking tolls for the use of the sea; right of free passage for ships of war; and the right of jurisdiction for crimes committed at sea. C. Armstrong, *Sermons and declarations against Popery* (1530), stands almost alone in protesting against the assertion of this sovereignty; as he held that the increased trade, for which it gave facilities, was not really beneficial like that in old days; then aliens had brought bullion to buy within the country instead of importing artificial wares to exchange, and so competing with our craftsmen; but his objection shows that this stroke

A.D. 1272—1377. manlike endeavour to put down this public nuisance[1] and establish the king's peace; and the granting of letters of safe conduct, for which special payments were made[2], was the first form in which the Crown gave protection to its subjects when travelling by sea, or at any rate attempted to give it[3].

Fleets. They also endeavoured to organise a fleet which might sail together under convoy. Thus in 1353 Edward III. proclaimed that the vessels sailing for Gascony should all

Sept. 8. assemble at Chalcheford[4] on the day of the nativity of the Virgin and sail thence together under the charge of royal officials[5]. But these measures were not very effective. In fact the losses by sea were so frequent on the part of men

Safe conduct. who had arranged for safe conduct across the narrow seas[6] that commissioners were appointed to enquire into this grievance in 1347. They served to indicate good intentions, and at length it came to be recognised that those who paid customs should have such protection as a matter of right, and not as a luxury to be specially paid for.

Planting new industries. *b.* The efforts of Edward III. to improve existing and plant new industries in the country were made at a singularly fortunate moment. His connection by marriage with Hainault may probably have rendered the weavers of the Low Countries

of policy benefited English merchants. In the fourteenth and fifteenth centuries the claim had important practical bearings in regard to the duty of repressing piracy. Twiss, *Black Book* (Rolls Series), I. lvii.

In the seventeenth century, when the success of the Dutch in prosecuting fishing off our coasts was exciting great jealousy, and when their commerce was rapidly developing, the nature of English rights became the subject of very vehement discussion; Grotius attacked the claim as absurd (*De Mari Libero*), and Selden replied with much learning (*Mare Clausum*). The historical justification, such as it was, of the claim, is stated by Sir John Borroughs, *Sovereignty of British Seas* (1651).

[1] In a somewhat similar fashion the attacks of the Saracens had led the Pisans to exercise 'rights of commercial and naval supremacy' on the W. coast of Italy; while Genoa had a similar authority in the Gulf of Lyons (1138). Mas Latrie, *Commerce de l'Afrique septentrionale*, p. 69.

[2] On the Constitutional aspect of these extra payments see Hall, *Customs*, I. 167 n.

[3] *Rot. Parl.* II. 166 (11) give a curious case of failure to afford the promised protection.

[4] This was probably Calshot Castle outside Southampton Water, a point which was known as Calshord (11 H. VII. c. 5). The Gascony trade had flourished there in the time of Edward I. *Rot. Parl.* I. 193 (10).

[5] Delpit, *Collection*, CLXV.

[6] *Rot. Parl.* II. 171, 172 (58, 59).

more willing to settle in England, and there is thus a close parallel between this new immigration and the earlier invasion of artisans from the Low Countries in the eleventh and twelfth centuries[1]. Ample evidence has been already adduced to show that the weavers' trade was carried on in many towns in the twelfth century, for we find notices of their gilds. During the thirteenth century the trade seems to have been fostered with some success; attempts were made to give the English weavers the monopoly of the home market, and they were also beginning to export cloth to Venice and Santiago[2]. It seems that in this as in other matters Edward I. followed the example of Simon de Montfort; at any rate he is reported to have laid the foundations of the West of England clothing trade by introducing weavers from the continent[3]. The occasional interruptions of the shipment of wool caused serious inconvenience in Flanders[4], and Edward II.'s prohibition of the export of teasles[5] must also have been injurious to foreign rivals as well as beneficial to the producers in England. But though there had been a regular and steady development[6] since the Conquest there was still room for further progress. The statute of 1328 in regard to the aulnager[7] shows that cloth was imported from abroad, while the organisation of the staple proves that there was a large export of the raw material of the manufacture.

A.D. 1307–1377. *The new Flemish immigration of weavers*

One of the inducements which Edward III. offered when he tried to persuade the Flemish weavers to come and settle in England was the promise to give them "franchises as many and such as may suffice them"; and in this appears to have been included a certain liberty in the matter of the length of the cloths they made. The first letter of protection was given in 1331 to a Fleming named John Kemp[8],

[1] See *Appendix E.*

[2] Brown, *State Papers, Venetian*, 1265, No. 3; also *Plac. Ab.* 56, H. III. p. 181. See above, p. 192.

[3] Dallaway, *Antiquities of Bristow*, p. 79, but no authority is given.

[4] Giry, *S. Omer*, 316, 323.

[5] Riley, *Memorials*, 149, 150. See *Appendix D.*

[6] The course of progress is sometimes to be traced by incidental evidence, as in the Norfolk complaints of the aulnager. *Rot. Parl.* II. 28 (50). The manufacture had apparently been planted within recent memory (II. 409, No. 175), but certainly existed at Worstead before 1315. *Rot. Parl.* I. 292 (18).

[7] 2 Ed. III. c. 14.

[8] Rymer, *Fœdera* (Record), II. 823.

A.D. 1307—1377. *and dyers.* who had come with servants and apprentices, both weavers, fullers and dyers. He and his were to enjoy the king's protection, and were encouraged to exercise their craft and instruct those who wished to learn. Similar letters were issued in 1336 on behalf of two men of Brabant who had settled in York[1]; a general measure was also passed, and in A.D. 1337. the next year special protection was accorded to a number of immigrants from Zeeland[2].

Inducements. This promised protection would not of course have induced the Flemings to migrate unless they had been anxious to come, but there were various circumstances that made their position in the Low Countries unattractive; they suffered from grievances which were partly political and partly economic. The privileges accorded by the English kings to the towns in their dominions must have been well known, and Flemings could not but contrast the treatment they had themselves received, for they had suffered severely A.D. 1328. at the hands of Philip of France[3]. In 1328 he compelled five hundred weavers and five hundred fullers to leave Ypres, and settle as hostages in France for three years[4]. There is also evidence not only of royal but of municipal oppression, for towns like Ypres[5], Ghent[6] and Bruges[7] had tried to maintain their privileges in the trade and to suppress weaving in the suburbs and neighbouring villages[8]; the struggles were similar to those which occurred in England in the sixteenth century[9] Even within the Flemish towns the lot of the weavers was not altogether satisfactory; and there had been

[1] Rymer, *Fœdera* (Record), II. 954. [2] Ibid. 969.

[3] Longman, I. 28. Edward's own statement is startling. "Cum nonulli homines diversarum mesterarium de Flandria, pro adhesione sua parti nostre, a dictis partibus banniti, et alii partium earumdem ob affectionem quam ad nos habent ad dictam civitatem (London) et alia loca regni nostri Anglie pro mesteris suis exercendis et victu suo per labores querendo accesserint." Delpit, CLXVIII.

[4] Diegerick, *Inventaire*, II. 51, No. 430, 432, 448.

[5] A charter was granted in 1322 forbidding weaving within three leagues of Ypres. Ibid. I. p. 291, No. 363, and II. No. 378, 515, and 516.

[6] Ibid. I. p. 245, No. 313.

[7] Ibid. I. p. 289, No. 360. *Rot. Parl.* II. 166 (10). For further details see Diegerick, *Inventaire*, II. 125; the quarrel at Ypres was as to the kind of cloth woven. Ibid. II. 124, 126, 127, 134.

[8] All local métiers, except one for each parish, were put down outside free towns in 1342. Ibid. II. p. 125, No. 516, 518.

[9] See below, p. 51·.

a riot in Ypres in 1281, when the weavers, fullers, shearmen and drapers complained that their interests were sacrificed to those of the merchants of the London hanse[1], and there were similar disturbances in Bruges and Douai[2]. Artisans had but little part in the government of these towns; they were excluded from taking part in mercantile life[3], and they were subject to many restrictive regulations for their callings[4]. In these circumstances the weavers would be likely to look to England as a place of refuge, and in one case we know that a migration occurred as a direct consequence of such disputes; for the prime movers of a disturbance at Poperinghe in 1344 were exiled to England, for three years[5]. By residence in England the weavers would at any rate escape the dangers of a famine of wool, and would cease to be so dependent on the merchants who imported it[6]. The superior attractions of England have been painted in glowing terms by Fuller: "The intercourse being settled between the English and Netherlands, unsuspected emissaries were employed by our king into those countries, who wrought themselves into familiarity with those Dutchmen as were absolute masters of their trade, but not masters of themselves, as either journeymen or apprentices. These bemoaned the slavishness of these poor servants whom their masters used rather like heathen than Christians; yea, rather like horses than men; early up and late in bed, and all day hard work, and harder fare (a few herrings and mouldy cheese), and all to enrich the churls, their masters, without any profit to themselves. But how happy should they be if they would but come into England, bringing their mistery with them, which should provide their welcome in all places. Here they should feed on beef and mutton, till nothing but their fatness should A.D. 1307—1377.

[1] Giry, *S. Omer*, 162. Diegerick, I. 118, No. 137, 143.

[2] Giry, *S. Omer*, 163. [3] Warnkönig, *Flandre*, II. 510.

[4] Giry, *S. Omer*, 348. This and the following pages contain a most interesting account of the different branches of the cloth trade in Flanders; the regulations for journeymen &c.

[5] Diegerick, II. p. 135, No. 527.

[6] For grants allowing export of wool by men of Ypres in 1232 and 1259 under Henry III. see Diegerick, pp. 47, 88, Nos. 52, 102. Edward I. authorised the subjects of Guy to travel freely in Flanders and buy wool in 1296. Ibid. p. 148, No. 176, also 188. Compare also in 1326, Ibid. II. p. 17, No. 388.

A.D. 1307—1377. stint their stomachs...Happy the yeoman's house into which one of these Dutchmen did enter, bringing industry and wealth along with them. Such who came in strangers within doors soon after went out bridegrooms, and returned sons-in-law, having married the daughters of their landlords who first entertained them; yea, these yeomen in whose houses they laboured soon proceeded gentlemen, gaining great worship to themselves, arms and worship to their estates[1]."

Protection. The king, moreover, conferred substantial privileges on this industry by re-enforcing the protective measures which had been tried in the thirteenth century[2]; he prohibited the export of English wool, so that the clothworkers might A.D. 1337. have the material cheap; he insisted that all Englishmen should wear native cloth, and limited the class who might wear fur, while he forbade the importation of foreign cloth[3]; and the workers in England had thus a complete monopoly of the home market[4]. At the same time the fullest security was promised to weavers who chose to come from any country whatever and settle under the king's protection in England, Wales or Ireland[5]. Whether all this protection was necessary to secure a footing for the new manufacture or not[6], the interests of the consumer were not entirely forgotten, for the aulnager and his officers were supposed to exercise a sufficient supervision as to the character of the cloth exposed for sale. It is, of course, possible that Edward might have accomplished his object more speedily if he had made his effort in some other form; but the fact remains that he did introduce or improve the manufacture of the 'old drapery' so successfully, that the export of raw wool began to decline and the home manufacture came to flourish more and more[7]. It is

[1] *Church History*, Book III. § 9.

[2] See above, p. 193.

[3] 11 Ed. III. cc. 3, 4.

[4] This protective system was not completely enforced for any long time. Compare 27 Ed. III. st. I. c. 4, where attention is given to the complaint that foreign merchants have withdrawn themselves, and the grievances of foreigners importing cloth are redressed.

[5] *Statutes*, 11 Ed. III. cc. 1—5. The London weavers were by no means disposed to welcome the immigrants. See below, p. 341. But there is far less evidence of local jealousy of alien artisans than we find in the time of Edward IV. and the Tudors.

[6] Mill, *Political Economy*, Bk. v. 10, § 1.

[7] Hall, *Customs*, II. 139. See below, p. 434.

interesting to observe, too, how closely many subsequent efforts to plant new industries followed on the lines which Edward III. laid down; they secured a monopoly to the craftsmen, while they at the same time tried to insist on a high standard of excellence in the wares produced. A.D. 1307–1377.

This does not appear, however, to have been the only attempt of the kind that was made during the reign of Edward III. In 1368[1] three clockmakers from Delft were encouraged to settle and ply their trade in London; and the craft of linenweavers was also introduced before the end of the century[2]. *Clockmakers.*

c. The measure which has been already noticed in regard to the wearing of furs was at any rate partially protective; there were, however, other sumptuary laws which had no similar excuse, but were merely intended to check idle extravagance and to promote thrift. The chroniclers are agreed that the success of the English arms on the Continent, and the loot which was brought from France, tended to demoralise the nation in this respect; but even before this time there was a great increase of extravagance. We can see it in the accounts which survive of tournaments; the subjects might certainly plead that if they did indulge in costly display they were only following the example the king had set them, especially on his visit to the emperor, when apparently he was forced to pawn his crown[3] in order to get money for himself and his retinue. In the earlier part of his reign he had legislated against luxurious living: "No man shall cause himself to be served in his house or elsewhere at dinner, meal, or supper, or at any other time with more than two courses, and each mess of two sorts of victuals at the utmost, be it of flesh or fish, with the common sorts of pottage, without sauce or any other sort of victuals: and if any man chose to have sauce for his mess he well may, provided it be not made at great cost: and if flesh or fish are to be mixed therein, it shall be of two sorts only at the utmost, either fish or flesh, and shall stand instead of a mess[4]." A later *Promoting thrift.* *Food.* A.D. 1336.

[1] Noorthouck, *History of London*, p. 72.

[2] *Firma Burgi*, 197. Harland refers to the linen manufacture as introduced from Flanders in 1253. *Collectanea*, I. 78.

[3] Longman, *Edward III.* I. 170.

[4] 10 Ed. III. st. III. *De cibariis utendis.*

A.D. 1307—1377. *Dress.* A.D. 1363. statute regulates the apparel of every class of the community. It appoints the diet and apparel of servants, of handicraftsmen and yeomen, as well as their wives and children; it explains what apparel gentlemen under the estate of knights may wear, what knights with lands of 200 marks may wear, and what those with 400 marks may have; and includes details for the guidance of merchants, citizens, burgesses, and handicraftsmen, the several sorts of clerks and ploughmen and men of mean estate. At the same time it insists that clothiers shall make sufficient cloth at the various prices permitted to different classes, so that there may be no excuse for infringing the law[1]. We might suppose at first sight that the artisans of this period—just after the Black Death—must have been in most prosperous circumstances if they could attempt[2] to wear the fabrics that are forbidden to them by this and subsequent sumptuary laws; but we must remember that expensive clothes might be procured for occasional use at civic and ecclesiastical functions, by those who were habitually clad in very coarse fabrics. The change of social habits and of the purpose for which clothes were bought may mislead us, if we merely compare prices, and assume that the clothes were meant to be frequently worn, and worn out by the original purchaser as they usually are now. We should think it odd in the present day if a lady left her clothes in her will to be made into vestments for a church[3], but this was formerly a usual bequest.

Ends in view. If we for a moment ignore the means by which these ends were pursued, and look only to the objects aimed at, we find that the commercial policy of Edward III. is in close accord with the principles which were generally accepted in England in the latter half of the nineteenth century. He desired to increase the volume of trade, and he legislated in the interest of the consumer, and in disregard of the claims of particular producers of wool and fish. He also endeavoured to develop a manufacture for which the

[1] 37 Ed. III. cc. 8—15.

[2] Doubleday, *True Law of Population.* Eden, *Hist. Poor*, I. 69.

[3] "Also I will that myn apparell be made in vestimentes and ornamentes of the churche and to be given to Malteby, Kegworthe and Nonyngton." Dame Maud Parr (1529) in *Wills from Doctors' Commons*, Camden Society, p. 17. See also Lady Ela Shardelowe (1457), *Bury Wills*, p. 13.

country was specially suited, and showed himself somewhat cosmopolitan in inviting artisans from the Continent; we could find recent parallels to these proceedings in our colonies, if not in the mother country. He set himself to encourage thrift among the labouring population—more, it is true, by precept than example—and modern economists, especially the school of Ricardo, have followed on the same line. The necessity of procuring large supplies forced him at times to make severe demands upon the commercial classes, and his policy was prejudicially affected by considerations of immediate pecuniary gain; but it was also defective, from the manner in which attention was concentrated on commercial intercourse and the fostering of national activities was neglected. A.D. 1307—1377.

99. While Edward III. thus made some new departures in his commercial policy, he also maintained the approved modes of organisation and regulation. Edward I. had named certain ports and forced the wool trade into particular channels so that the collection of the customs might be facilitated; Edward III. carried this still further by the ordinances he made for the *staple*. The earlier history of this institution is involved in much obscurity[1]; the merchants claimed to date, as a separate body, from the time of Henry III.; that there was some sort of recognised association of English merchants trading to Flanders is certain from the mention of their mayor in 1313[2], when he was sent to settle some disputes that had arisen. It is not clear, however, that the 'Staplers' of later days can be traced back to this early organisation[3], or that there was one definite mart which these merchants frequented at first to the exclusion of others; and indeed the evidence of the *Hundred Rolls* renders this more than doubtful[4]. A patent was issued, however, also in the same year—the 6th year of Edward II.—"pro certa stapula pro mercatoribus Angliæ in partibus transmarinis ordinanda ac libertate pro majore

Regulation of trade.

The staple organised.

A.D. 1275.

A.D. 1313.

[1] The staple was a depôt where goods were deposited so that tolls might be collected, and the *jus stapulae* was the right of a town to have such goods exposed for sale in its market. Huvelin, *Droit des marchés*, 206.

[2] Rymer, *Fœdera*, II. 202.

[3] A New Company of Merchants at Calais is mentioned in 1363. *Rot. Parl.* II. 276 (11).

[4] See above, p. 176.

A.D. 1307—1377. eorum[1]." It is likely that Englishmen had before this time frequented divers marts in Brabant, Flanders, Antwerp; but this patent[2] insists on the evils that had arisen from allowing merchants, whether native or alien, to ship wool to any port they chose, and enjoins the "mayor and communaltie of merchants of the realm" to fix on one certain staple in the Low Countries to which all wool should be taken; the mayor and council of the said merchants were empowered to enforce this regulation; subsequently the customers at the various ports A.D. 1320. were informed of the arrangement[3]. This plan failed to give satisfaction, and at the beginning of his reign Edward III. enacted that "all staples beyond the sea and on this side, A.D. 1328. ordained by kings in time past should cease[4]," but he did not maintain this perfect freedom of trade, for we find that a staple was regularly established in Flanders in 1343.

It is indeed possible that merchants preferred to have one assigned mart, where English produce might be regularly supplied, so that those who wished to purchase it might frequent that recognised place of sale. It has been argued that in early times, when the stream of commerce was too feeble to permeate constantly to all parts of the country, the concentration of trade at certain staple towns, or at fairs, was advantageous for industry and commerce[5]. To this it may be added that a number of English merchants, who frequented one mart, might have political and judicial privileges granted to them such as they could not have hoped for, unless they gave a *quid pro quo* by pledging themselves to frequent that town[6]. At the same time there certainly were merchants

Its economic advantages.

[1] *Calend. Rot. Pat.* p. 75, n. 5.

[2] Delpit, *Collection*, XCVIII. (Canterbury, May 20, 1313). Delpit dates it 1312, but the reign began on July 7.

[3] Hakluyt, *Voyages*, I. 142. This is not given in Rymer; it embodies the patent quoted above, and was given from Dover on June 18, 1320; there was thus a farther attempt to carry out the policy adopted in 1313.

[4] 2 Ed. III. c. 9, *Statute of Northampton.*

[5] W. Roscher, *Englische Volkswirthschaftslehre*, 133.

[6] The Scotch merchants appear to have found it best to fix a staple, and not to have an open trade. It is interesting to notice the privileges for which they bargained, in fixing their staple at Campfer in 1586, when they made the following demands: 1. The confirming of old privileges. 2. Providing a better passage for the entry of ships. 3. To have a berth on the docks where their ships could lade and unlade without disturbance from the fishermen. 4. Protection against extortion on the part of the custom-house officers. 5. All customs to be charged

who preferred to go to other ports, as we find that they were willing to pay for royal licences[1] to make shipments of wool to other places than Calais, when the staple was fixed there. A.D. 1307—1377.

These economic reasons give some justification for the policy of fixing on certain staple towns; there was at all events a widespread belief in the fourteenth and fifteenth centuries that this was a wise step in the interests of commerce[2], and the English kings were only acting in accordance with the current opinion of their day. But in England the chief of the staple commodities of the realm was wool; and the organisation of the institution by the Crown and by Parliament was determined by the necessity for regulating transactions in this particular article. In connection with the levying of duties on export it was necessary to have (i) a set of collectors of customs in all the ports; there was also need for (ii) officials who were charged with the weighing of wool; while (iii) attempts were made from time to time to fix the price at which it should be sold. Authoritative weighing of wool[3] was not only important for the fair transaction of business between traders, but also as a fiscal measure, when subsidies were voted at so much *per* sack of wool; the men charged with this duty apparently found their office a remunerative one; and they, like the farmers of the customs, would have excellent opportunities, as royal factors, for taking up the large quantities of wool which the Commons granted to Edward III.[4] It seems probable that we must look for the origin of the great organisation which was known as the *Merchants of the Staple*[5], to these classes of officials,

Export of wool.

Keepers of the Tronage.

according to an authoritative list. 6. Security against double exaction of the customs. 7. Freedom from 'convoy gilt.' 8. Reasonable charges by artisans and warehousemen. 9. So too by pilots and fishermen. 10. To have premises assigned for their merchants to live in. 11. That their conservator should not have soldiers billeted on him. 12. That in all quarrels between Scotchmen and townsmen the conservator should be heard by the Court before judgment was given. 13. That in criminal suits among Scotchmen the trial should be conducted by the conservator. 14. That he should have a place assigned him for use as a prison. 15. That they should have a chapel for their own form of preaching and prayers. *Records of Convention*, I. p. 57.

[1] *Rot. Parl.* II. 323 (17), v. 149.

[2] See above, p. 293, n. 5.

[3] *Ordinance of Staple*, 27 Ed. III. st. II. c. i. and c. x. Hall, *Customs*, II. 47.

[4] See above, p. 277.

[5] The new organisation of the Staple appears to have interfered with the chartered rights of weighers of wool. *Rot. Parl.* II. 38, No. 39, 40.

A.D. 1307 —1377.

with opportunities for private trade, rather than to the shippers who frequented Flemish marts in the time of Edward I. and Edward II. The *Merchants of the Staple* appear to have attained to power and prominence at the very period when the restrictions on Englishmen shipping wool were most severely felt.

The policy of fixing a price for wool also seemed necessary at a time when there was so much royal trading; it gave an authoritative means of calculating the worth of the wool supplied from each county for the royal needs, and the price of Nottingham[1] appears to have been fixed with reference to these demands. But there was also a wider reason.

Maintaining a high price for wool exported.

All through the legislation about the wool trade, we see an anxiety to keep up the price and make continental towns pay heavily for our product. There were few competitors in growing wool on a large scale at that time[2], as the great arrangements for pasture farming in Spain[3] date from the middle of the fourteenth century—the time of the Black Death. Under these circumstances there was no need to force a market by supplying wool at a cheap rate: there was little danger that the fleeces would be left on the hands of the growers, and their chief anxiety was to get as good a price as possible. The high price of wool would be felt more severely in proportion by the native weavers, who produced coarse cloth, than by the foreigners; but it was doubtless thought that they could recoup themselves by charging more for their cloth, though this did not give satisfaction when they tried it in London in 1321[4] But on the whole the

[1] The price of Nottingham was assessed in 1337, and was taken as the basis of Edward's transactions in 1340 (*Rot. Parl.* II. 119, No. 10). In 1343 the merchants complained that it was impossible to keep to this price (Ibid. 149), and a new rate was set (Rymer, *Fœdera*, II. ii. 1225, and *Appendix D*) which was to be a minimum for export. But the practical difficulties caused by any assize were so great that it was determined in the following year to allow the price to be settled freely (*Rot. Parl.* II. 149 a, and 156, No. 49).

[2] Thorold Rogers, *Economic Interpretation*, 9.

[3] On the organising of the *mesta* see Bonwick, *Romance of the Wool Trade*, 40. There must however have been some importation long before that time, as we read of the manufacture of Spanish wool in England in 1262 at Andover, Gross, *Gild Merchant*, II. 4, also Madox, *Firma Burgi*, 199. On the quality of Spanish wool see Armstrong's *Treatise*, p. 28; see below, p. 439, n. 3.

[4] *Liber Custum.* (Rolls), 416—425.

tendency was, not to attempt to push trade as is done in modern times, but to be content to export the surplus commodities, which could not be used at home. From this point of view it appeared desirable that foreigners should pay at a high rate, even if the amount of exports declined. The curious Assize of Wool embodied in the Appendix[1] shows what pains were taken to prevent dealings with foreigners in this staple commodity at any low price; there was a hope that by enhancing the prices of the wool in England it might be possible to draw more money into the country[2].

A.D. 1307–1377.

A.D. 1343

There were grave complaints as to the conduct of the men of Bruges, where the staple was then held. They tried to monopolise the supply for Flemish towns, and prohibited the export of wool by the Italian and Spanish merchants who frequented the mart[3]; they even put unnecessary hindrances in the way of Brabant dealers, and the large towns prevented the weavers of the smaller villages from coming to buy[4]. For these evils a remedy, which had been proposed[5] some years before, was adopted in 1353[6], and the staple was removed to England. The reasons for this step are very curious; the free concourse of aliens to this country was already permitted, so that the Englishmen hoped they would no longer suffer from the restrictive regulations of the people of Bruges, but would have a better market, and that the competition of buyers from many lands would raise the price of wools. This was possible; but it is not at all clear that the loss which arose from the perils of the deep and from piracy[7] would be reduced because the staple was removed, though it might fall on aliens and not on English subjects; it almost appears as if parliament did not realise that the foreigners would recoup themselves, for undertaking these risks by paying less for wool in England than they did in Flanders.

Monopoly at Bruges.

A.D. 1344, 1348. *Italian Merchants.*

A.D. 1347.

[1] *Appendix D. Fœdera*, II. 1225. 20 May, 1343.

[2] *Rot. Parl.* II. 138 (17). Compare *Laws of Edgar*. See above, p. 130.

[3] *Rot. Parl.* II. 149 (5), 202 (13).

[4] Ibid. II. 166 (10).

[5] Ibid. II. 143 (58).

[6] 27 Ed. III.

[7] It is of course possible that the English merchants suffered from Flemish pirates, and that Parliament believed they would not attack Flemish merchants in the same way. On these piracies in 1371, see Varenbergh, *Relations*, 407.

A.D. 1307 —1377.

At any rate they deliberately transferred the export trade to aliens by prohibiting Englishmen from engaging in it at all, and as the customs which aliens had to pay were much higher than those of denizens (10*s.* instead of 3*s.* 4*d.* per sack) this would put another hindrance in the way of trade and a very decided obstacle to any rise in the price of wool. Their last point, that the holding of the staple in England would give a better opportunity for preventing the introduction of inferior money of foreign coinage, was probably sound, and there was also an advantage in having the merchants within reach, if there was occasion to distrain any of them for debt[1].

Organisation of the staple

The *Ordinance of the Staple*, which carried out this policy, named Newcastle, York, Lincoln, Norwich, Westminster, Canterbury, Chichester, Winchester, Exeter and Bristol, as staple towns for England[2]; and for each of those which was situated inland a special port was appointed; as Hull for York, Yarmouth for Norwich, and Sandwich for Canterbury. Careful arrangements were made between the mayors and the Customers to secure the due payment of the king's taxes. Every facility was given to foreign merchants to frequent these marts, and they, like the king's subjects, were to be free from the exactions of purveyors on their journeys thither. All the transactions at these staples were to be taken out of the jurisdiction of the justices and the common law, and settled by the Mayor of the Staple according to law merchant while alien merchants were to be chosen as assessors; arrangements were thus made for doing speedy justice from day to day and hour to hour. All sorts of other inducements were held out so as to induce the foreign merchant to frequent these marts; rents were to be reasonable, aliens might sell by retail if they wished (c. 11), no man was to be impeached for another's debt, and their oaths were to be

[1] See below, p. 418, also p. 496.

[2] Boston was added to the list in 1369, when the staple once again returned to England after being fixed in Calais. The effect of holding a staple in any given town can be observed in this case; the neighbouring towns, like Lincoln, complained bitterly (*Rot. Parl.* II. p. 332, No. 62). It served to give an additional attraction to foreigners to settle at the town, as many had done from the time of Edward I. A factory of the Hanse League was organised here (P. Thompson, *Boston*, 339).

accepted as to the value of the merchandise they brought when *ad valorem* dues were levied (c. 26)[1]. Everything was done which might attract the foreign merchant here, and bring about a good competition for our wool; but the experiment was not altogether successful, the fees charged by the officials were exorbitant and had to be reduced by an ordinance[2] in 1354; Parliament preferred to have the trade more concentrated, and although there were some changes, the staple was, generally speaking, fixed at Calais[3], where elaborate arrangements were made for the conduct of the trade and the residence of merchants[4]. A.D. 1307—1377. *at Calais*

100. In regard to imports the main object of policy was just the reverse, as it was deemed desirable that these *Import trade.*

[1] *Ordinance of the Staple*, 27 Ed. III. II.

[2] *Ordinatio de fœdis Stapule.* It is not quite clear whether this was issued in the twenty-seventh or twenty-eighth year, but the earlier date would only allow for a couple of months' experience of the evils complained of.

[3] This appears to have been proposed in 1362, with the hope of raising the price of wool and redressing other evils. "Item pour cause que les Leines du Roialme sont mis a petit value, tant pour cause que eles ont amenez hors du dit Roialme en autri Seignurie et Poair ou notre dit Seignour le Roi n'ad Jurisdiction, ne les mesprisions et outrages faitz a les Subgiz poit redrescer, n'amender, come pur soners Eschanges des Monoies et feblesce d'ycelles, et plusieurs autres damages et mischiefs ad este parle et monstre au Conseil notre dit Seignour le Roi plusieurs foitz que bon serroit mettre remedie: Et que la Ville de Caleys qui est a notre dit Seignour le Roi et en il ad plein Jurisdiction, serroit bon place et lieu convenable pur les Leins et demoer des Marchantz, per eschuer les meschiefs et damages suisditz et par tant le pris de Leines serront amendez et enhancez." *Rot. Parl.* II. 268.

The policy of discouraging native merchants to go abroad had apparently been reversed before this time, as the Englishmen at Bruges, who had suffered much in status and position since the staple had been removed to England, were allowed to organise themselves and have a mayor in 1359. (*Rot. Stap.* 27—46 Ed. III. m. 11, Tower Records, Record Office.) See *Appendix C.* These merchants were apparently predecessors of the Merchants Adventurers.

The uncertainty of the place at which the staple should be held is alleged as the reason for the grant by Urban V. in 1368 to the Merchants of the Staple of the privilege of having an English speaking chaplain. (Wilkins, *Concilia*, III. 80.) In 1369 owing to the war it was necessary to move back into England, *Rot. Parl.* II. 301 (24), but the staple was fixed at Calais in 1376 by the grant of Edward III. (Rymer, III. ii. 1057). There was the same sort of vacillation in 1390 and 1392. Hall, *Customs*, I. 235.

Armstrong's *Treatise concerning the staple and the commodities of the realm* (1519) is well worth perusing in this connection, as in regard to all matters connected with rural economy, industry or commerce during the centuries immediately preceding the Reformation. He argues that the removal of the staple to Calais was beneficial to the merchant class but injurious to the public, p. 20.

[4] See the excellent account by Mr Malden, *Cely Papers*, x. xxxix.

A.D. 1307—1377. articles should be obtainable on easy terms by consumers. A great deal of care was devoted from the time of King John to the management of the chief branch of import trades—that in wine, in the hope of rendering it plentiful and cheap[1]. On the whole the Edwards were inclined to favour their Gascon subjects, and native English shippers felt themselves at a serious disadvantage during the greater part of the fourteenth century.

Wine. Edward I. gave the Gascony merchant privileges which A.D. 1289. roused antagonism in the City of London[2]; and Edward II. continued this protection and had recourse to severe threats against the authorities of the City[3]; the men of Cologne had similar privileges[4]. The reason of his anxiety that these merchants should be encouraged to visit London, becomes A.D. 1310. apparent in the regulations he issued for the sale of wines[5]; the king and nobles were to have an opportunity of purchasing before the wine was offered to the public; the prices at which the different qualities were to be sold are defined; arrangements are made for the callings of the 'grossour' and the taverner respectively, and precautions are taken about the assay of wine. The charge of this was to be in the hands of the mayor and aldermen, as they were to choose twelve jurors to test the quality of the wine; and no taverner might sell it by retail till it had passed this scrutiny.

Home-grown and These regulations for the price of wine were not confined to London but extended to the provinces as well. There had been many vineyards in England in Roman and Norman times, and the manufacture was not wholly extinct[6]. The

[1] King John established an assize of wine, fixing the price at which the wines of Poitou and Anjou were to be retailed, and also the wholesale prices. He left so little margin of profit, however, that the merchants could not continue the trade, and the retailing price was raised from 4*d.* and 6*d.* to 6*d.* and 8*d.* the gallon, "et sic repleta est terra potu et potatoribus." Roger of Hoveden, IV. 99.

[2] Delpit, *Collection*, XXXIII.

[3] Ibid. LXXXIX. XC. XCI. XCII. C. CI. Brissaud, *Les Anglais en Guyenne*, 169.

[4] *Rot. Parl.* I. 315, No. 12. [5] Delpit, XCIV.

[6] Turner, *Domestic Architecture*, I. 135. *Rot. Parl.* I. 315, No. 109. Barnaby Googe writing in 1577 says, "We might have a reasonable good wine growyng in many places of this Realme: as doubtless we had immediately after the Conquest, tyll partly by slothfulnesse, not liking anything long that is painefull, partly by Civil discord long continuing, it was left, and so with time lost, as appeareth by a number of places in this Realme, that keepes still the names of Vineyards: and upon many Cliffes and Hills are yet to be seene the rootes and old

chief supply came from abroad; not only was it desirable to obtain a close connection and safe communication with Gascony, but to provide for the terms on which the wine should be obtainable in different parts of the country. In 1330 an Act was passed regulating the distributive and retail trade. "Because there be more taverners in the realm than were wont to be, selling as well corrupt wines as wholesome, and have sold the gallon at such price as they themselves would, because there was no punishment ordained for them, as hath been for them that have sold bread or ale, to the great hurt of the people; it is accorded, that a cry shall be made that none be so hardy as to sell wines but at a reasonable price, regarding the price that is at the ports whence the wines came, and the expences, as in carriage of the same from the said ports to the places[1] where they be sold." The town authorities were to make an assay twice a year, and all wines found to be corrupt were to be shed and cast out and the vessels broken[2]. A.D. 1307—1377. *Wines imported.*

Somewhat later in Edward's reign there were some very curious enactments, which were designed to strike at the profits of middlemen, in the vain hope that wine would be rendered cheaper. It was assumed that middlemen gained at the expense of the public; and it seemed to follow that if middlemen did not gain, the public would be put to less expense. English merchants were not to forestall wine in Gascony, or buy it up before the vintage, and the time of the common passages[3]; nor were they to charge high for the wine, on the pretence that they ran risks. Cost of carriage was a charge which could be checked, and this might doubtless be allowed for when sale was made in London[4]; but *Regulations for price.* A.D. 1353.

remaynes of Vines. There is besides Nottingham an auncient house called Chylwel, in which house remayneth yet as an auncient monument in a great wyndowe of Glasse, the whole order of planting, proyning, stamping and pressing of Vines. Beside, there is yet also growing an old Vine that yeeldes a grape sufficient to make a right good wine as was lately *prooved* by a Gentlewoman in the saide house." Epistle to the Reader prefixed to Heresbach's *Foure Bookes of Husbandry*.

[1] The Chancellor and Members of the University of Cambridge complained more than once that they were not served with wine so cheaply as the residents in the sister university. *Rot. Parl.* II. 48 (69), III. 254 (8).

[2] 4 Ed. III. c. 12.

[3] 27 Ed. III. I. 5, 7.

[4] Though the statute does not say so, c. 6. Compare, however, *Rot. Parl.* II. 279 (35).

A.D. 1307—1377. remuneration for risk was obviously regarded as a mere excuse for arbitrary demands on the part of the merchant, and these were not to be permitted at all. The operations of the English merchant were confined to two special ports, but the Gascony traders might ship to any port they pleased: under these circumstances it need not be a matter of surprise if English shipping declined for a time.

It thus appears that the Englishman was forbidden to export wool, so that it might be sold dear, and that he was prevented from importing wine, in order that it might be bought cheap; in both trades he was placed at a disadvantage as compared with the foreign allies or subjects of the Crown[1]. The only part of this curious statute which would commend itself to modern ideas, as likely to do much for the encouragement of trade, is the last clause, which provides that the tuns and pipes should be authoritatively gauged so that the purchaser might make sure of obtaining the full quantity

A.D. 1363. for which he paid; ten years later it was found necessary to have the wine gauged at Bordeaux as well as in England[2].

101. Other regulations to promote fair dealing in internal trade are simply copied from the ordinances that were in force in many towns[3]. Besides the regulations mentioned above against Englishmen forestalling or engrossing important goods[4], we have one general prohibition of engrossing the wares that were brought to the staple towns[5]; but there is one special case that brings out very clearly the grounds of the objection which was commonly felt against middlemen of every kind; it occurs in a couple of local Acts, which may possibly have been necessary from the double jurisdiction exercised in Great Yarmouth by the local burgesses on the one hand and the Wardens of the Cinque Ports on the other[6]. It is an interesting illustration of the manner in which they tried to ensure fair competition in those cases where it was

Forestalling.

Herrings.

[1] *Rot. Parl.* II. 261 (48), 282 b. [2] Ibid. II. 279 (34).

[3] See above, p. 250. Also the *Statutum de pistoribus* quoted p. 263, n. 2.

[4] 27 Ed. III. I. c. 7. *Rot. Parl.* II. 261 (48). The prosperity of the grocers and their Company roused a good deal of jealousy during this period, *Rot. Parl.* II. 277 (23), 280 b.

[5] *Ordinance of the Staple*, c. 11. See also 25 Ed. III. III. c. 3.

[6] Jeake, *Charters of the Cinque Ports*, 17.

impossible to calculate out and settle what a reasonable price would be—as well as of the practical difficulties which rendered their well-meant efforts futile. The poor fisherman was the victim of the greed of the Yarmouth hostelers, the local consumer was outbid by the engrosser who wished to transport the fish to other markets[1]; of course if they had been allowed to do this freely, there would have been less difficulty about the low price for fish given to the fishermen. But the attempt to remedy these two very dissimilar grievances at the same time resulted in meddlesome regulations which introduced new and unlooked for mischiefs. A.D. 1307—1377.

Difficulty of interfering with middlemen

In 1357 a statute was passed against the hostelers of Yarmouth[2] and others, who made special bargains with the fishermen and forestalled their goods before they were landed or exposed in open market; a price was fixed of 40*s.* the last, above which no one should buy for the purpose of curing fish; the rate of profit on reselling, and the tolls that might be taken, were carefully defined, and the market was to be held in broad daylight. All these regulations were meant to let the ordinary consumer have a fair chance, and to prevent the middlemen and speculators from having special opportunities of purchase, and so setting an unreasonable price for their own profit. But before four years had elapsed it was found that the results were very prejudicial; whatever ill effects accrued from their speculations, the middlemen undoubtedly had been discharging a needed function. A new ordinance was made, which recites in a most interesting

A.D. 1361.

in the interest of producer

[1] The feeling that lay at the bottom of this complaint was something of this sort: the resident on the spot felt that he had a first claim to the products of the place, and that only the surplus should be sent to other localities, English or foreign. The same idea underlay a great deal of protective legislation at a later time: we should find a vent for our surplus, but should not export useful commodities unless there was a surplus: see on village protection above, p. 78.

[2] 31 Ed. III. st. II. The preamble recites the precise grievances; it runs as follows: Que pour cause que les gentez de Grant Jernemuthe encontrent les peschours, menantz harang a la dite ville en temps de feyre, et achatent et forstallent le harang, avant qil veigne a la ville: et auxint les hostilliers de mesme la ville qi herbergent les peschours venantez illoeques ove lour harang, ne veullent soeffrir les ditz peschours vendre lour harang, ne meller de la vente dicels, einz le vendent a lour volunte demesne, si cher come ils veullent et donent as peschours ceo qe lour plest; pour quoi les peschours se retrehent de vente illoeques et issi est le harang mis a plus grant chierte qe unqes ne fust.

A.D. 1307—1377. manner the arguments for the statute as well as the evils to which it had given rise: the fishermen had great difficulties in personally attending the public market at the times it was open while also prosecuting their trade; the collecting of the purchase-money from all the retail buyers took up time which they should have spent in fishing, and the fishers were thus prevented from bringing their fish to that port at all. Besides this, while the statute had thus inconvenienced *or consumer.* the fishers, it had done little good to the ordinary consumer[1]; for the middlemen and merchants, or others, no longer allowed to forestall, were now ready to outbid the retail purchaser, and buy up the fish for curing, and for transport to distant, or export to foreign, markets[2]. All that could be done to redress the Yarmouth grievance, was to give the right of selling freely to the fishers whenever they came to port, while at the same time a prohibition was put on anyone interfering with another buyer while he was bargaining—a piece of trade etiquette which is still very generally observed[3]. The supplying of a town with fish was a trade in which the intervention of middlemen was almost inevitable; the Fishmongers in London had regulated the terms of supply from time immemorial in their Hallmoot[4], and they succeeded in obtaining a status which enabled them to exercise extraordinary influence in London affairs and national politics[5].

Assize of Cloth. There was also a good deal of discussion about the *Assize*
A.D. 1328. *of Cloth*, and the action of the aulnager. The manufacturers of worsted cloths had been accustomed to make them of various lengths from 24 to 50 ells; but the aulnager insisted on all the cloth being made in pieces of 24 ells only, which did not suit all the buyers so well[6]. They subsequently complained that the diversity of wool with which they had to work made it impossible to keep any specific standard[7], and attempts were made to abolish the office of aulnager

[1] That foreigners should be more cheaply served with good English fish, and the price raised to home consumers in consequence, would have been universally regarded as an evil, for which no cheapening of imports could compensate (*Discourse of Common Weal*, p. 68): and Norfolk men would have a certain jealousy towards the inhabitants of London.

[2] 35 Ed. III.

[3] C. P. Allen, *Ambassadors of Commerce*, 78. The old Cloth Hall at Halifax was planned with separate cubicles with a view to uninterrupted bargaining.

[4] Unwin, *Gilds of London*, 128.

[5] See below, pp. 378, 382.

[6] *Rot. Parl.* II. 28 (50).

[7] Ibid. II. 409, No. 175.

altogether[1]; this was not done, but his duties were differently defined, and restated so as to suit the views of merchants who imported cloth from abroad. According to the new scheme, he was to give an authoritative statement as to the length of the cloths exposed for sale, but was not to insist that goods, which were not up to the old English standard measure, should be forfeited[2]. In accordance with the liberty thus granted to foreigners a customary assize seems to have grown up in different districts, as the later statutes on the cloth manufacture insist on definite measures for all cloths, but on different measures for cloths of different make[3]. Under the new system there must have been less temptation to stretch[4] short cloths so as to bring them up to the required standard. A.D. 1307—1377. A.D. 1353.

Though there was little fresh legislation on the subject, there was much organisation connected with the authoritative weighing of goods. Just as the *Libripendes* attained to considerable importance in the times of the Roman Empire[5], so one, if not more, of the great livery companies seems to have come into being in connection with duties of this kind. The pepperers[6] had a leading share in nominating the officials who were admitted to the office of weighing *aver-du-pois*[7], and in 1316, they made ordinances for weighing. Some of the leading men among them appear to have been of Italian origin[8], and they certainly dealt in spices and other goods[9] *Authoritative Weighing.*

[1] *Rot. Parl.* II. 252, No. 34.

[2] 27 Ed. III. I. c. 4.

[3] See below, p. 435.

[4] Madox, *Exchequer*, c. XIV. § 15.

[5] *Codex Juris Civilis*, Inst. II. tit. X. *De testamentis ordinandis.*

[6] Kingdon, *Grocers' Archives*, p. xiii.

[7] The origin of the name seems to be indicated in an ordinance of the time of Henry III., Quod nullus mercator extraneus vel alius vendat vel emat aliquod averium quod ponderari debeat vel tronari nisi per stateram vel tronam nostram (*Lib. Alb.*, p. 138). An early dispute on the subject (*Rot. Parl.* I. pp. 47, 332), seems to show that it was used by Spanish merchants at Southampton (1290 and 1314). The origin of this metrical system, with 16 oz. to the lb. is somewhat obscure, a closely analogous system has survived in Madrid, Lisbon and Marseilles (Martini, *Manuale di Metrologia*), and there was also an analogous system in the Low Countries (*Ib.* Bruges, Cologne). The pound of 15 English ounces of 450 grains, mentioned in *Fleta* (II. c. 11), or of 25 shillings as it is defined in the *Statutum de ponderibus* (6750 grains), is possibly a rough approximation to the present aver-du-pois pound of 7000 grains.

[8] See above, p. 288, n. 4.

[9] The wares weighed by *aver-du-pois* are enumerated in the *Liber Albus*,

A.D. 1307 —1377.

which reached England from the south of Europe; in 1345, they united with the spicerers in forming the Grocers' Company,—a body which exercised a predominating influence on London affairs in the latter part of the fifteenth century.

Grocers.

They may have derived their name from the popular complaint against them as *engrossers*, but it seems possible that they assumed it from their wholesale transactions, *en gros*[1], or even from their dignified office of weighing by the *peso grosso*[2]; they came to have charge both of the king's and the wool beam[3]—the *statera* or the *trone*. Their rivals, the Mercers, were originally pedlers and retailers of goods in small quantities[4]; their earliest ordinances date from 1347[5], and they seem to have had official cognisance in the City of the standards used in retail trade. It has been suggested above that the official weighing of wool was one element of the organisation of the Staplers; the Grocers had the

p. 230, and are distinguished from "sotils choses." A distinction between "peso grosso" and "sottile" survived till 1843 at Genoa; the former system—which differed from the English *aver-du-pois*—being used for merchandise in general, the latter for retail transactions and fine goods: mercers, jewellers, druggists and confectioners used the latter. Martini, *Manuale di Metrologia*, p. 224; see also for Frankfurt, *ib.* p. 213.

[1] Compare the use of the word for a wholesale wine-merchant, p. 318.

[2] Kingdon, *Grocers' Archives*, xxxi.

[3] "In 1453 the [Grocers] Company, having the charge and management of the public scale or King's Beam, made a regular tariff of charges. It appears that to John Churchman, grocer, who served the office of sheriff in 1385, the trade of London is indebted for the establishment of the first Custom House. Churchman, in the sixth year of Richard II., built a house on Wool-wharf Key, in Tower Street Ward, for the tronage or weighing of wools in the port of London, and a grant of the right of tronage was made by the King to Churchman for life. It is probable that Churchman being unable of himself to manage so considerable a concern as the public scale, obtained the assistance of his Company, and thus the management of the weigh house, and the appointment of the officers belonging to it came into the hands of the Grocers' Company." *Report of Royal Commission on London Livery Companies* (1884), xxxix. pt. ii. 130.

[4] See above, p. 323, n. 9. "Mercer in ancient times was the name for a dealer in small wares * * * Mercerics then comprehended all things sold retail by the little balance or small scales, in contradistinction to all things sold by the beam or in gross, and included, not only toys, together with haberdashery, and various other articles connected with dress, but also spices and drugs; in short what at present constitutes the stock of a country shopkeeper. The Mercers in these periods of simplicity, chiefly kept the fairs and markets; for we learn that in 1290, mercers who attended the French fairs for trading, in some instances sat on the ground to sell their wares and only paid a half-penny toll, whilst others who elevated their goods on stalls paid a penny." Herbert, *Livery Companies*, p. 230.

[5] J. G. Nicholls in *Middlesex Arch. Soc. Trans.*, IV. 119.

official custody of weighing by *aver-du-pois*, and the Mercers[1] dealt by retail in ponderous goods which were weighed by a different system, with a small balance (*balancia*). It is quite clear that before the end of the fourteenth century these various merchants were not keeping strictly to their own callings. The Grocers had charge of the king's beam, and they also claimed the tronage of wool. Parliament interfered to insist that each merchant should keep to one style of business[2], though it must have been very difficult to define the precise spheres of the Staplers, Grocers and Mercers respectively, especially when the latter increased in wealth and began to import goods as well as to retail them. A.D. 1307—1377.

It is unnecessary to observe that the mere existence of detailed regulations for export, import, and internal trade, and the occasional attempt to improve them, must have caused terrible inconvenience to the merchant, from the frequent uncertainty of the conditions under which he would have to dispose of his goods. On the eve of a Budget this element of uncertainty may affect those branches of trade in which changes of tariff are expected, but it must have been infinitely more oppressive in byegone times. *Inconvenience of changing regulations.*

The raising of the revenue affords the one excuse for such governmental interference as still survives; but finance was so mismanaged in Edward's time, as not only to inconvenience traders, but to disorganise the whole commerce of the country. This was especially the case in those instances where the king obtained supplies not in coin but in kind, and traded with it himself, or through appointed factors. Thus in 1337 the king obtained a grant of wool, and the export of other wool was forbidden that he might have a monopoly of the foreign market; though it seems that the prohibition was not in force long enough, or that all the profit went to his factors, as very little gain accrued to the king[3]. In any case the expedient was of *Fiscal arrangements.* *Grants in kind.*

[1] In the time of Edward III. "the Company also appointed a common meter of linen cloth and silk, a common weigher of raw silk and tackle porters to do their work at the waterside." *Report of London Liv. Companies Commis.* XXXVII. ii. 2. For the fifteenth century see *Middlesex Arch. Soc.* IV. 140.

[2] 37 Ed. III. c. 5. *Rot. Parl.* II. 277 (23), 280 b. See below, p. 382.

[3] Longman, *Edward III.* I. 117.

A.D. 1307—1377. doubtful wisdom; for the interference with trade would so far reduce the regular customs, that little if any profit might arise from the extraordinary grants. Besides these attempts at speculation, and the reorganisation of the staple as a means of collecting the customs, which has been already described, there is little in connection with Edward's taxation that calls for special attention.

The currency. 102. The reign of Edward III. is distinguished by some very remarkable experiments in regard to the currency. The increasing communication with the Continent would bring a greater influx of foreign coin. Edward I. had tried to prevent its getting into circulation, but his grandson was also forced to legislate against importing it. The preamble of A.D. 1335. his first statute on the subject complains that "divers persons beyond the seas do endeavour themselves to counterfeit our sterling money of England, and to send into England their weak money in deceit of us, and damage and oppression of our people[1]," and as a remedy it provides that none shall carry gold or silver out of the realm without a license and that no money shall be molten to make plate. If the coinage were not thus diminished, there would be less temptation to introduce coins from abroad, while a special provision was made against bringing in counterfeit sterlings and false money.

Coins diminished in size. A.D. 1300. King Edward I.[2] had slightly diminished the weight of the English sterling; and as the efforts to keep bad money out of circulation had been unsuccessful[3], especially during the reign of Edward II.[4], heavy and light money were circulating together. As payments were still made by weight and not by tale in some cases, a curious fraud was perpetrated by the receiver of the tenth and fifteenth in the diocese of Canterbury, who had selected old and heavy pennies to serve as weights, and exacted enough silver to balance them, apparently 25 per cent. more than he ought to have received[5]. With the coinage in such a state, we

[1] 9 Ed. III. st. II. [2] Ruding, *Annals of Coinage*, I. 201.

[3] According to the calculations of Messrs Crump and Hughes the complaints of the badness of foreign coin were much exaggerated. *Economic Journal*, v. 62.

[4] Ruding, *Annals*, I. 207. *Rot. Parl.* I. 444.

[5] Ruding, *Annals*, I. 211. This story seems to confirm Mr Seebohm's suggestion that when payments were made by weight, they were made in the weight of the

need not be surprised that the better coins continued to be exported and light and debased coins, known as pollards, crocards, scaldings, brabants, eagles, rosaries and others, were brought by foreign merchants into England[1]. Three different expedients were tried in order to remedy these evils. A.D. 1307–1377.

a. It was proposed that every merchant should give security to bring 40*s.* in plate into the realm for every sack of wool he exported[2]. This was decreed[3] in the following year, though in a modified form, requiring only that 13*s.* 4*d.* should be thus secured; and it was hoped that plenty of bullion would thus be supplied to the mint. A.D. 1339.

b. It was proposed that certain foreign coins, Florins de Escu, should have free circulation in this country for sums over the value of 40*s.*[4]; this was not done; but after consultation with the goldsmiths as to the fineness which should

current coin (*Archæological Review*, III. 20); and that prices remained fairly stable because the value of silver was slowly rising, so that the practical effect of diminishing the size of the coins was to prevent the fall in nominal prices which must otherwise have occurred, so far as we know the conditions of the time. Professor Thorold Rogers on the other hand assumes (*Economic Interpretation*, 194) not only that payments were made by weight, but that they continued to be made by the old weights till the time of the Tudors. In support of this view the payments for certain pieces of plate are quoted, but Mr Seebohm's careful calculations have shown that these prices would be excessive if reckoned according to the old and heavy weights, and that Professor Rogers has greatly underrated the value of silver in the fifteenth century. His assumption lands us in several other difficulties in regard to the value of silver before the discovery of America. It also seems to imply that all payments must have been made in the same way, i.e. by weight, since the rates by weight and by tale would differ so much. On Mr Seebohm's view there would be no difficulty in having some payments by weight and others by tale as was actually the case at the time of the Domesday Survey. See below, p. 545. In so far as payment of money by weight was practised in London in the thirteenth century it seems to have been a cumbrous business. *De antiquis legibus liber*, 25.

Gold was commonly paid by weight till much later times, as at fairs in Ireland in the eighteenth century. When Henry V. insisted that all gold should pass by weight (9 H. V. st. I. c. 11, st. II. c. 9) he made no similar provision for silver; gold was accepted in 1421 by greatly diminished weights, as 5*s.* 8*d.* was to count for 6*s.* 8*d.* in payment of the fifteenth and tenth. *Rot. Parl.* IV. 151 (10).

[1] Ruding, I. 201, gives little explanation of these terms; the coins appear to have been made of a white metal which resembled silver. A pound weight of 'Lushbournes' (Luxembourg coins) was only worth eight shillings, *Rot. Parl.* II. 160 (15), and some of the Flemish money appears to have been so debased that a pound of it was only worth forty pence. See *Appendix D.*

[2] *Rot. Parl.* II. 105 (14).

[3] 14 Ed. III. I. c. 21, and 14 Ed. III. III., cf. also *Rot. Parl.* II. 138 (16).

[4] *Rot. Parl.* II. 105 (14).

A D. 1307 —1377. be adopted, and in conjunction with the people of Flanders[1],
A.D. 1343. a gold coin was struck for currency both in England and Flanders, and some attempt was made to come to an agreement as to a common silver coinage as well[2]. This gold money was not required for internal trade, and as it was at first somewhat overrated, people were unwilling to receive it for silver. In order to retain a supply of good silver coin in the country, a proclamation was issued forbidding anyone to carry any money, except the newly minted gold, out of the kingdom; while to meet the convenience of merchants in the north it was coined in York as well as in London[3]. This bimetallic circulation did not answer its purpose, and it gave rise to a good deal of internal complaint; bad foreign money,
A.D. 1346. especially of the coinage of Luxemburg[4], continued to find its way into England. The Commons complained most bitterly of the wrongful gains of those who introduced such money[5].

c. In 1351 the king appears to have been wearied out with the struggle to maintain the old standard of coinage; and an entirely new coinage, both of gold and silver, was issued, of the same fineness but of considerably less weight; the standard of the money issued was thus reduced towards the standard of the money in circulation[6]. This was by far the most sudden change in the value of the current coins that had yet taken place, and it caused no little dissatisfaction.

Exchange. Two things are noticeable as to the actual manner of carrying on this business of coining; it was let out from time to time to different persons. Similarly the business of exchange, which furnished the channel by which the Mint might be supplied with bullion, was maintained as a royal prerogative and farmed out to different merchants from time to time[7]; others might exchange for mutual convenience, but
A.D. 1351. not for the sake of profit[8]. Both of these are repetitions, though on a larger scale, of the methods adopted by Edward I., while the regulation of the goldsmiths' craft[9], and reliance on their advice, also recall his statute on the subject.

[1] *Rot. Parl.* II. 137 (14).
[2] 17 Ed. III.
[3] 18 Ed. III. II. c. 6.
[4] *Piers Plowman*, 82 b.
[5] *Rot. Parl.* II. 160 (15).
[6] Ruding, *Annals*, I. 226.
[7] *Rot. Parl.* II. 452.
[8] 25 Ed. III. v. c. 12.
[9] 37 Ed. III. c. 7.

Similar monetary difficulties were felt in other lands; A.D. 1307—1377. the Flemings made a strict law against the exportation of bullion, and this rendered it impracticable to carry out the payments required[1] on each sack of wool imported from England. The Scotch coinage was suddenly debased, and as it had circulated freely in England, the change caused much inconvenience. But there is one point that is well worth attention in this English legislation on the import and export of bullion; it seems to have reference to coinage and coinage alone. There is a desire to 'increase the money' of the country, and therefore to get more bullion which should go straight to the mint and be coined, but no hint of trying to amass treasure; the plate which was to be brought in for each sack would do little more than serve to pay the customs, it would not pay for the wool. The effort to prevent the influx of inferior money is as constant and persistent as the effort to prevent the export of the good coins. On the other hand there was no objection to the good gold money, which hardly circulated internally, being exported[2], and merchants were allowed to re-export money which they had not spent in goods[3]. When, A.D. 1353 later in the reign, the export of gold and silver was prohibited an exemption was still made in the case of those who imported fish[4], who might apparently carry money away with them if they liked. Edward III. dealt with the question as a mere matter of the circulating medium; he lived before the times of bullionists or mercantilists, and his experiments and regulations are unaffected by the prejudices which arose later, and which we have outgrown.

Bullion and coinage.

103. The reign of Edward III. also furnishes us with the first of an important series of statutes defining the hours and wages of the labouring man. These had not of course been unregulated up to this time; the custom of each manor[5], and the ordinances of the gilds in each town had hitherto sufficed; but in the presence of the terrible plague which swept over England in 1349[6], the frame of society and

Regulation of wages.

[1] *Rot. Parl.* II. 202 (15).
[2] Ibid. II. 137 (14).
[3] 27 Ed. III. II. c. 14.
[4] 38 Ed. III. I. c. 2.
[5] B. H. Putman, *Enforcement of the Statutes of Labourers*, 156.
[6] The course of the plague from the East has been graphically told by Dr

A D. 1307 —1377.

the ordinary instruments of social authority were entirely shattered and it was necessary for the central government to interfere. This is the principal case, during the reign of Edward III., in which Parliament took over a department of regulation that had been hitherto left to local bodies[1]; they were thus carrying out the policy of Edward I. in another direction, as well as continuing to work on lines he had already laid down.

Black Death. A.D. 1348.

Of the ultimate effects of the Black Death[2] in its successive visitations[3] and the impulse it gave to far-reaching social changes it will be necessary to speak below, but a few words may be said as to the extent of its ravages at first. The terror which it caused is noticeable in the extraordinary change which was brought about in the artistic representations of death about this time: the horrors of the actual visitation can certainly not be described, nor, for that matter, easily imagined. It has been argued that about half the population of England was swept away by this visitation; and though we are tempted to treat the estimates of contemporaries as exaggerated because of the horror which the new and sudden death caused, they appear less impossible when the records of the time are examined[4]. The chief of these, for larger areas, are the records of the institutions of

Creighton (*Epidemics*, I. 142). He appears to be mistaken in supposing that De Mussis was actually on board the vessel which brought the infection to Genoa. (Gasquet, *Great Pestilence*, 4 n.)

[1] Compare the regulations for Builders in London, Appendix A; also in the time of Edward I., *Liber Cust.* II. 511.

[2] A good account of the causes, nature, and character of this disease as well as of its moral effects is to be found in Hecker's *Epidemics of the Middle Ages*, pp. 1—66. Part of the horror it caused was due to the sudden and unexpected outbreaks.

[3] Creighton, *Epidemics*, I. 202 f. In an Inspeximus by Edward IV. of letters patent of Henry VI. the impoverishment of Winchester is ascribed to the repeated plagues;—"now through frequent plagues and withdrawals of citizens and merchants so ruined by the destruction of eleven streets seventeen churches and 987 houses within the last fifty years that it is quite unable to pay the fee farm rent of 100 marks." Kitchin, *Winchester* (*Historic Towns*), p. 174.

[4] The evidence for different towns, districts and ecclesiastical houses in England has been carefully discussed by Dr Creighton (*Epidemics*, I. 123), and more exhaustively by F. Gasquet (*Great Pestilence*), who has collected an immense amount of valuable material. His work serves to bring out the long-continued effects of the plague, and the slowness of the recovery from its devastations. The condition of Florence and other Italian cities, which has been recently examined by Dr Kowaleski, is curiously analogous to what we read of England.

clergy to benefices[1]; for particular villages, the records of the court rolls[2]. While the former seem to show that with all allowances for the ordinary death rate, more than half the parish priests died during the year, the latter give us instances where whole villages were practically annihilated. We shall not be far wrong in saying that nearly half of the population[3] was swept away at this time[4]. A.D 1307–1377.

[1] Jessopp, *The Coming of the Friars*, 193. [2] See *Appendix B.*

[3] The researches of Dr Creighton and F. Gasquet tend to confirm this estimate.

[4] A much greater difficulty arises if we try to estimate not the proportion but the number of deaths; that is to calculate the total population at the time. This has led to a controversy between Mr Seebohm and Prof. Thorold Rogers (*Fortnightly Review*, II. III. IV.). The latter discontinued the discussion on the ground that no time "is lost more thoroughly than that devoted to arguing on matters of fact with a disputant who has no facts but only very strong convictions' (*Six Centuries*, 117). Mr Seebohm had argued that the tax rolls of 1377, which give a population of about 2½ millions, represent pretty closely the population as left by the Black Death, since the return of the plague in 1361 and 1369, and the unsettled condition of the time had probably left little room for any increase of population between 1350 and 1377: he therefore supposes that the population before the Black Death may have been five millions (*Fortnightly Review*, II. 153, IV. 89). Professor Thorold Rogers holds that the population had recovered from the ravages of the plague in the twenty-five years which immediately succeeded, because he cannot admit that mediæval England had the means of supporting a larger number. The reasons for assigning this limit are, his conviction that the populace lived practically on wheat, and that the area of other cereals sown may be neglected for this purpose. He refers to the *Assize of Bread*, which indeed only mentions wheat, but which supplied the basis from which the price of bread of other grains could be calculated (see *Appendix A*). But oatmeal and other cereals than wheat were commonly used for food. In the allowances provided for various servants, the reeve had equal quantities of wheat and rye, the other men had more rye than wheat (Denton, *Fifteenth Century*, 317). Steffen (*Eng. Lohnarbeiten*, 234) insists that Rogers' argument only applies to the counties in the south and east, and that wheat did not become the common food of the people in the north and west till a later date. The case against Rogers' view is put more strongly by Savine, in *Oxford Studies*, I. 199. The area of food-producing land may therefore be taken as much larger than that which Professor Rogers assumes (Seebohm, *Fortnightly Review*, IV. 88); he has failed to show that five millions was an impossible population in 1346.

Professor Thorold Rogers also adopts another line of argument, and works backward from the time of Henry VII. and Elizabeth, when the population may be put at between two or three millions, and expresses a conviction that as there had been no change in agricultural production, population could not have been larger in 1346. But there was a great alteration for the worse during the fifteenth century: sheep farming was substituted for tillage in many places, a change which Professor Rogers postdates by a considerable period, as he underrates its importance before the time of Elizabeth (see below, p. 463 n.). Besides, the south-east of Kent, to which he specially refers, was exposed to attack from 'Enemies,' while there is some reason to believe that the soil was more exhausted (Denton, *Fifteenth Century*, 153). If under these circumstances of decreased tillage and greater insecurity a population of two and a half millions could be sustained

A.D. 1307 —1377. *Scarcity of labour.*

As one immediate result there was great difficulty in getting labourers; the difficulty was aggravated in those cases where the tenants had died off and the lords were left with large holdings on their hands and no means of working them; while they lost the predial services of these deceased tenants on the home farm. There was consequently an immensely increased demand for hired labourers at the very time when their numbers were so much thinned, and it seemed as if the agriculture of the country was completely ruined. A very vivid picture of the widely spread disaster is given in the story of a Cambridgeshire chantry at Bottisham. Sir Thomas Chedworth had endowed it in 1348, but he found in 1351 that the estate which was intended to support two secular priests was only sufficient for one, so greatly had the revenues declined. The new instrument by which the original deed of foundation was altered states that owing to the vast "mortality of men in those days . . . lands lie uncultivated in many places, not a few tenements daily and suddenly decay and are pulled down, rents and services cannot be levied nor the advantage of them generally had can be received, but a much smaller profit is obliged to be taken than usual[1]."

under the Tudors, the numbers at the beginning of the fourteenth century might have been considerably larger.

The results, which are of a somewhat negative character, may be stated as follows: (1) that the population was pretty nearly stationary at over two millions from 1377 till the Tudors, (2) that circumstances did not favour rapid increase of population between 1350 and 1377, (3) that the country was not incapable of sustaining a much larger population in the earlier part of Edward III.'s reign than it could maintain in the time of Henry VII.

[1] Hailstone, *History of Bottisham*, 278. In the manor of Blackmere in Shropshire there were three mills which used to be worth 20 marcs, but now they are worth only half that sum, by reason of the defect of grinding on account of the pestilence. At Doddington two carucates of land used to be worth 60 shillings, and now the said jurors know not how to extend the said land because the famuli and servientes are dead, and no one is willing to hire the land. The water mill is sunk from 30 shillings to 6/8 because the tenants are dead. Owen and Blakeway's *Shrewsbury*, I. 165. Very many similar instances are given by F. Gasquet.

An *Inspeximus* of a charter of Simon, Bishop of Ely (dated 12 Sept. 1365), regarding the parish churches of All Saints and S. Giles, of Cambridge, near the Castle, asserts that the parishioners of All Saints are for the most part dead by pestilence, and those that are alive are gone to the parishes of other churches; and that the parishioners of S. Giles's have died; and that the nave of All Saints is ruinous, and the bones of dead bodies are exposed to the beasts; and he unites

A.D. 1307—1377. *Proclamation*, A.D. 1349.

While the plague was actually raging Parliament could not meet[1], but a proclamation was at once issued[2] by the king with the advice of certain prelates and nobles, of which

All Saints and S. Giles. *App. to Sixth Report of Commission on Historical MSS*, 299. See also Dunston in Norfolk. Suckling's *Suffolk*, I. 195.

Some interesting information as to the plague in Lancashire is obtainable from a document in regard to claims for probate duty, as well as the administration of the estates of persons who had died intestate. It was printed by Mr A. G. Little in the *English Historical Review*, 1890, p. 524, 1891, p. 153.

On the enrolment of wills in London see Sharpe, *Wills*, xxvii. Many orphans died at Sandwich, and the Mayor as trustee had to make special arrangements for their property. Lyon, *Dover*, II. 306.

Walsingham (*Hist.* I. 273) puts the mortality at more than half, and mentions the common opinion that not a tenth of the people were left alive. The numbers given for Leicester seem to be exaggerated, unless they cover a period of years (Bateson, *Records of the Borough of Leicester*, II. p. lxiv.); Knyghton states (*Decem Scriptores*, 2599) that 380 died in the little parish of S. Leonard, more than 400 in S. Cross, and more than 700 in S. Margaret's parish; his account of the ravages of the plague in Southern Europe and the East is also interesting. There was formerly an inscription in the Church at Great Yarmouth which reckoned the deaths there at 7,052. Weever's *Funeral Monuments*, 862.

A similar record has been preserved about Bodmin. In registro apud Bodmin Ecclesia fratrum minorum Magna pestilencia per vniuersum mundum Inter Saracenos quam paganos et postea inter Christianos Incepit primo in singulis circa Kalend' August' et parum ante nativitatem domini Intrauit villam Bodmine vbi mortui fuerunt circa Mille quingentorum per pestilenciam Et numerus fratrum defunctorum vt (?) in capitulo generali lugdun' celebratum anno christi 1351 vsque ad aliud sequens capitulum generale fuerunt de ffratribus tresdecim milia octingenti octoginta tres exceptis sex vicariis. *Itinerary* of William of Worcester, Corpus Christi Library, Cambridge, 210, f. 29.

[1] *Rot. Parl.* II. 225 (4). The corresponding state of things in other countries is worth comparing. A good deal of evidence for Italian towns has been collected by Dr. Kovalevsky in his article in the *Z. f. Social- und Wirthschaftsgeschichte*, 1895. In France a great Ordonnance dealing with all matters of trade and industry was issued in 1350, which contains the following clause (Tit. 52, Art. 231): Nulle personne qui prenne argent pour son salaire pour journée, ou pour ses œuvres, ou pour marchandise qu'il face de sa main, ou face faire en son hostel pour vendre, et desquels il n'est ordonné en ces présentes ordonnances, ne pourra pour sa journée, salaire, ou deniers, prendre que le tiers plus de ce qu'il prenoit avant la mortalité, sur les peins dessus contenus. *Ordonnances des rois de France de la troisième race*, II. p. 377. From Levasseur's account it seems that the chief difficulty in France lay with the gilds of artisans who about this time endeavoured to insist on monopoly rates for all work done by craftsmen. *Classes ouvrières*, I. p. 396.

In England the disturbance of prices affected all persons who lived on fixed incomes, and appears to have been severely felt by Parish Priests, whose demands for increased fees and payments were met by a statute in 1362. 36 Ed. III. c. 8.

[2] 23 Ed. III. The plague first attracted attention in London as a public danger at the very end of 1348, as the meeting of Parliament had to be postponed (Rymer, *Fœdera*, III. i. 168). The proclamation about wages was issued, according to the copy printed in the Statute Book, on 18 June 1349; in Rymer it is placed in 1350, which would have allowed a very long time to elapse without any intervention (*Fœdera*, III. i. 198). Parliament did not meet till February 1351.

A.D. 1307—1377. the preamble states that "many seeing the necessity of masters and great scarcity of servants will not serve unless they get excessive wages," and that consequently the land can be scarcely tilled. Everyone, free or villan, who can work and has no other means of livelihood, is not to refuse to do so for anyone who offers the accustomed wages; each lord is to have the preference in hiring the men on his own estate, but none is to have too many men for his work; no labourer is to leave his employment before the specified time; nor to receive more rations or wages than he did in the twentieth year of the king and the common years before that; none are to give or take more wages in town or country,—for the proclamation mentions saddlers, skinners, tailors, smiths, carpenters as well as farm labourers,—subject to definite and severe penalties. After thus enjoining the old terms with respect to wages, the proclamation insists on reasonable prices for victuals and all the necessaries of life; and announces a strict penalty against valiant beggars who though able to work preferred to wander about as tramps, while those who gave them support were to be imprisoned; this and a previous clause seem to imply that there was some system organised by the labourers to enforce their demands.

and statutes, A.D. 1351. Subsequently the same regulations were enacted by a statute[1], insisting on the accustomed wages for work of various kinds, —mowing, reaping, threshing, the labour of carpenters, masons, plasterers, their servants, tilers, and carriers, as well as shoemakers and other craftsmen,—and at the same time decreeing a limit for the price of corn and other victuals, and

A.D. 1357. insisting on the use of the old measures. Strenuous efforts were made by the appointment of special justices to bring these measures into operation[2], the sums obtained in the form of penalties offered a new source of revenue, and were at first applied to the relief of existing taxation[3]. In the year 1360 the penalties were rendered far more severe, as labourers and artificers were no longer to be merely fined but imprisoned without the option of bail; those who broke their agreement and went into another country were to be outlawed, pursued and branded with F "for their falsity"; while towns

[1] 25 Ed. III. st. II. c. 1. [2] B. H. Putman, *op. cit.* 15. [3] Ibid. 105.

where runaways were harboured were to be fined ten pounds[1]. A.D. 1307—1377.

Policy of regulating wages and prices.

There are very many interesting points to be noted in regard to this legislation. It had two different sides,—in the first place it tried to fix fair rates of wages, and in the second to insist that men should do work if it was offered them and not become vagrant tramps; this second object of the statute marks the beginning of a great part of our legislation in regard to the poor—not the destitute poor, but the 'valiant beggars'—and it has been much less criticised than that which fixed the rates of wages. But as in the case of the legislation for trade, so in regard to these regulations for wages, there is need of a warning against trying to judge about the facts of the time, unless we first attempt to comprehend its ideas; it is difficult to agree with Mr Seebohm[2] and other writers in thinking that it was unjust to try to prevent wages from being determined by competition, when the prices of goods were not so determined. Prices were then so closely connected with wages, that there seemed to be good ground for expecting that if wages were forced back to their old level the abnormal prices would no longer be demanded. Both the proclamation and the subsequent statute attempt to regulate prices and wages together, both in town and country districts, and to go back to the time when normal rates had ruled[3]. Under these circumstances it is not reasonable to denounce these statutes as tyrannously oppressive towards the labouring classes.

In spite of the strenuous efforts to enforce them, the statutes do not seem to have been very successful in driving back the rates of wages. Competition for labour was keen;

[1] 34 Ed. III. cc. 9, 10, 11.

[2] *Fortnightly Review*, II. 273.

[3] *Chronicles*, 1348. Contemporaries remarked on the variations of prices. Under 1337 Holinshed notes, "The King sought by all waies possible how to recover monie, both to supplie his charges for the Scotish wars and also to furnish the other wars which he meant to take in hand against the French King: he got so much into his hands that it was verie scant and hard to come by throughout the whole realme: by reason of which scarsitie and want of monie, or upon some other necessarie cause, vittels and other chaffer and merchandize were exceeding cheape," II. p. 605. When peace was made in 1348 and wealth poured into England, so that most "English maides and matrons were bedecked and trimmed up in French womens jewels and apparel" (Holinshed, II. p. 649), the drain of coinage would cease and prices would be likely to rise: the simultaneous reduction

A.D. 1307 —1377.

and wages were not kept at the statutory level though they were "kept for ten years at a lower level than would have resulted from a regime of free competition[1]"; and they also gave employers an increased hold over labourers who went off before their term of service was up[2]. But the shock to society brought about a greater mobility of labour on the whole, and the era of competitive wages had begun. Parliament failed in the attempt to go back to the old customary conditions; and began to make persistent efforts to organise a new system of reasonable wages, and regulated prices to be enforced by central authority. It is by a curious irony that the nineteenth century, which under ordinary circumstances accepted competition with all its severe pressure on the weak as the only possible method of adjusting wages, and which familiarised us with the countless oppressions of the poor labourer by contractors and sweaters, should have been so much shocked at the men who refused to regard competition as a satisfactory means of determining wages, and who endeavoured—with little success indeed, but still honestly—to calculate wages that should be fair.

IV. Craft Gilds.

Craft gilds.

104. No industrial institution in the Middle Ages has attracted more interest than the craft gilds, but though a considerable mass of documentary evidence is available for the study of their practice and powers, there has been a curious conflict of opinion in regard to many fundamental questions about them. Increased investigation of local archives will doubtless throw fresh light on points which are still unsettled; but in order to read aright the evidence at present available, it is necessary to resist the temptation

of the size of the coins would of course make these fluctuations more striking.

Another author recognised the connection between the continued demands of the labourers and the advance of prices which was due to the depreciation of the coinage in 1351. Willelmus de Edyngdone excogitavit et fecit insculpi novam monetam, scilicet grossum et dimidium grossum sed hæc erant minoris ponderis quam correspondens summa sterlingorum. Quæ res fuit expost occasio, quod victualia sive mercimonia fuere per totam Angliam magis cara. Operarii vero et artifices ac servientes proinde callidiores et fraudulentiores solito sunt effecti. Thomas of Walsingham, *Hist. Ang.* I. 276.

[1] B. H. Putman, *op. cit.* 221.

[2] Ibid. 195.

to seek for parallels with the policy of modern Trades' Unions[1], and to beware of pressing the similarities between English craft gilds and their continental analogues too closely[2]. It may be worth while to recall the conclusions already stated as to the earlier history of the towns before going into any details about those industrial organisations. A.D. 1307 —1377.

Their foreign origin.

Some reason has been adduced above for believing that craft gilds (or *corps de métiers*) existed in the Norman, Flemish and German towns in the twelfth century, and were first introduced into this country as royally authorised organisations among alien artisans settled in English towns. They appear to have been in occasional conflict with the town authorities, but by the beginning of the fourteenth century the causes of disagreement seem to have been set at rest; and the Mayor of London had succeeded in establishing authority over the Weavers' Gild in 1300[3]. From that time onwards gilds were organised among the inhabitants who worked at one craft, with the consent and approval of the municipal government, and were utilised for certain purposes of police and regulation by the town officials.

Favourable conditions in England.

But though the craft gild seems to have been of foreign extraction, the circumstances of the English towns in which it had taken root must have greatly affected its growth. In German towns in the eleventh century there were privileged merchants who carried on foreign trade[4]. They were not a very large class[5], but they had a position of superiority in the towns, and in the thirteenth century these wealthy merchants made an oppressive use of their powers. In England there does not appear to have been any corresponding native class in the twelfth and thirteenth centuries[6], as

[1] As e.g. in Mr Howell's *Trades Unions*. The distinction is admirably drawn by Mr and Mrs Webb, and the opinion that the modern Unions had an historical connection with the old gilds is disproved. *History of Trades Unionism*, 14.

[2] This appears to me to be a defect in Dr Brentano's Essay in the Introduction to Toulmin Smith's *English Gilds*; a work which deservedly attracted much attention, and influenced the treatment adopted by Mr J. R. Green and others.

[3] *Lib. Cust.* 121. The new ordinances which were then established, providing for the reception of weavers from abroad (c. 14), and in regard to the court (cc. 12 and 23) are not commonly found in gild regulations. Compare also Ibid. 416 seq.

[4] Regalium institores urbium. Lappenberg, *Hamb. Urkundenbuch*, I. p. 56.

[5] Nitzsch, *Ministerialität und Bürgerthum*, p. 203.

[6] See above, pp. 189, n. 6, and 223, n. 1.

A.D. 1307—1377. so much of the foreign trade was done by aliens. A class of wealthy London dealers had grown up in the fourteenth century, and they formed organisations of their own, like the Fishmongers, Grocers, Mercers, Drapers and Vintners' companies[1]; but in many towns craft gilds had taken shape before special classes of dealers in wares were organised, and without being subjected to the hostile influences[2] of which the artisans in Flemish cities complained[3].

As distinguished from the twelfth century weavers' gilds, which took their authority from the Crown, the fourteenth century craft gilds were created with the approval of the civic authorities, and controlled by them. Some friction may have occasionally occurred in the differentiation of craft gilds and delegation of authority[4]. A very early instance of the formation of such a craft gild is found in connection with the lorimers, who did the smith's work for bits and other harness: "These are the provisions which the forgers of lorimery in London[5] have provided by the common counsel of them all, and with the assent of Sir William FitzRichard, the then Mayor of London, and the other barons of the same city, for the amendment and relief of the mistery[6] and the honour of the city, and for the abating of all guiles and trickery." They insist on the Saturday half-holiday and various other holidays; they provide against the enticing away of apprentices, and fix the terms on which apprentices may be taken and strangers received to work. "These provisions aforesaid to hold and to keep all those of the mistery have sworn, and before the Mayor aforesaid and the barons of the city have granted; and, for the greater surety, all the masters of the mistery and the wardens likewise have confirmed this writing with the impress of their seals."

Formation of the lorimers' gild.

A.D. 1261.

[1] See above, p. 324, below, p. 382.

[2] In some Italian towns the industrial companies appear to have been organised for public convenience. The Lucca statutes of 1308 show that the silk-trades and the wool-weavers' trade were under the authority of the Merchants (*Arch. Stor. Ital.* x. Doc. p. 58), but as early as 1255 a corporation of silk-dyers existed and had their composition approved (Bini, *I Lucchesi a Venezia*, I. 58) and the weavers had a corporation (universitas) of their own in 1320 and 1358 (*Ib.* I. 63).

[3] The history of Coventry affords a striking illustration; a bakers' gild—a body which still exists—was authorised by the town authorities in 1208. W. G. Fretton, *Memorials of the Bakers' Guild, Coventry*, in *Mid-England* (March 1880), p. 122.

[4] Bateson, *Leicester Town Records*, I. xxxiv.

[5] *Liber Cust.* II. 535. [6] Ministerium, not μυστηριον.

The doings of the cordwainers are also of interest. A.D. 1307—1377. *Cordwainers.* A.D. 1303.

"Whereas many good folks cordwainers of the City of London have given to understand unto John le Blount, Mayor, and unto the Aldermen of the same city, that some persons of their trade work false things—that is to say, mix basil[1] with cordwain[2], and calfskin with cowskin, and cut out shoes of basil, of calfskin, and of dogskin and sell the same to knights and other great lords of the land for cordwain and kid:

"And that many of the mistery trade with denizens and strangers, and are not freemen or sworn to the franchise, to the great scandal of the craft and the damage of the common people of the land, rich and poor; and it is ordained, as for a long time heretofore it has been provided and established, that those who shape and make shoes shall mix no manner of leather with other, but shall make them wholly of one leather, &c.:

"And for the maintaining and performing of these points there are chosen four proved men of the mistery...who are charged to go each month at least, and at all times when they shall hear that there is necessity, throughout the trade and make search; and the articles they shall find made and mixed they shall take and bring into the chamber of the Guildhall, to take their award before the Mayor and Aldermen according to the law and the usages of the City of London.

"And the said four men are charged upon their oath that all the names of those who become master cordwainers and others makers of shoes, and who trade with denizens and strangers, who are not sworn to the franchise—that such names they shall present unto the Chamberlain of the community, to be shown unto the Mayor and the Aldermen....

"And it is forbidden that the servant workmen in cordwaining or others shall hold any meeting to make provision which may be to the prejudice of the trade and to the detriment of the common people, under pain of imprisonment[3]."

[1] French, Bazen, inferior leather made from sheepskin (Riley).

[2] A tawed leather made in imitation of that of Cordova in Spain, similar probably to the modern morocco leather (Riley).

[3] *Liber Cust.* II. 540. Compare also Riley, *Memorials*, for articles of Armourers,

A.D. 1307 —1377. *Relation to municipal authorities.*

The ordinances of the London crafts were enrolled in the City records, and alterations were only made by the City authorities[1]; the oath of the masters and wardens[2], as well as the attempts of the civic authorities to strengthen their hands[3], testify to the fact that these industrial bodies exercised their powers under the constant and friendly supervision of the City authorities. The people of Exeter were careful to preserve full control over the cordwainers' gild; for they compelled them to deliver up their powers every year to the town authorities, and to pay a fine for having them renewed[4]; and the evidence of the *compositions*, or annual agreements between the town authorities and the gilds, which survive for one place[5] or another, illustrates the care that was taken to maintain complete control over the gilds. In the case of the building trades generally, it appears that the Mayors and Aldermen did not encourage the formation of gilds, but kept powers of direct regulation in their own hands[6]; they were also always ready to put down self-constituted authorities[7].

In the above cases we see that the craft gilds received authorisation from the municipal officials[8]; where the town had no real rights of self-government, the craft gild might derive its authority from the lord of the manor, as was the case with the Cutlers' Company of Sheffield in its early

p. 145; Pelterers, p. 153; Girdlers, pp. 154, 216; Tapicers, p. 179; Cutlers, p. 217; Spurriers, p. 226; Whittawyers, p. 232; Heaumers, p. 237; Hatters, p. 239; Pewterers, p. 241; Glovers, p. 245; Shearmen, p. 247; Furbishers, p. 258; Braelers, p. 277; Masons, p. 280; Farriers, p. 292; Waxchandlers, p. 300; Plumbers, p. 321; Bowyers, p. 348 (a peculiarly full account); Haberdashers, p. 354; Blacksmiths, p. 361; Scriveners, p. 372 (full account); Barbers, pp. 394, 606 (full accounts); Founders, p. 512; Fletchers, p. 556; Limners, p. 557; Forcemakers, p. 563; Brasiers, p. 625; Stringers, p. 634. I have thought it worth while to enumerate these cases; not one gives any indication of the oppression which is commonly spoken of, and the accounts of all confirm, or at least harmonise with, the statements in the text.

[1] See additions made for Cordwainers, Riley, *Memorials*, 391; for Cutlers, Ibid. 439; Blacksmiths, Ibid. 568.

[2] *Liber Albus*, I. 527.

[3] Ibid. I. 494.

[4] Toulmin Smith, *English Gilds*, 334.

[5] Hull. Lambert, *Two Thousand Years.* Shrewsbury. Hibbert, *Influence of Gilds.*

[6] Webb, *Trades Unionism*, 8.

[7] See the case of Hugh the Limeburner. Riley, *Memorials*, 174.

[8] Compare also the establishment of a tailors craft by the Mayor of Northampton in 1344. Markham, *Records of Northampton*, I. 276.

days[1]. When the industrial monopolies were effectively controlled by local authorities, as was secured by the administrative system at Bristol[2], there seems to have been little trouble; but disputes arose in cases where any gild of craftsmen claimed to be independent of local authority. This had probably been the real reason of the disagreement between the twelfth century weavers and the towns; and difficulties of the same sort arose again and again where aliens were introduced into a town under royal protection. The Flemish weavers, who were introduced under Edward III., did not at once fall into line with the established crafts. The London weavers were anxious to retain a monopoly[3], and they would in any case be unwilling to have so many skilled intruders settling among them[4]. When they had to submit to accept the Flemings as neighbours, they tried to force them to belong to the Weavers' Gild[5]. This the king refused to allow; but subsequently the Flemings and Brabanters organised an alien Weavers' Gild of their own, with the approval of the Mayor and Aldermen, and the quarrel was set at rest when the civic jurisdiction was fully recognised[6]. A.D. 1307 —1377.

Burghs and craft gilds.

The same sort of difficulty, from the incomplete control of the local authorities, occurred in other towns besides London, and the Commons complained in 1376 that many of the Mayors of burghs were prevented from exercising their office thoroughly, by the special charters which had been granted to certain misteries, and prayed that these special charters might be rescinded so that the hands of the local powers might be strengthened[7]. In one instance—that of the tailors of Exeter—the difficulty cropped up in the time of Edward IV.[8], owing to the special charter they held from the king, which enabled them to defy the municipality.

[1] Hunter's *Hallamshire* (Gatty), p. 150. The Oyster-dredgers of Faversham, who are said to date from the time of Henry II., are described as governed by salutary laws and amenable to courts appointed by the Lord of the Manor. Pennant, *Journey to Isle of Wight*, I. 97.

[2] Bickley, *Little Red Book of Bristol*, xxi.

[3] They apparently were guilty of abusing their privileges to their own advantage, e.g. by refusing to admit qualified strangers. Riley, *Liber Custum.* 424.

[4] Ashley, *English Woollen Industry*, 47 Delpit, *Collection*, CLXVIII.

[5] Madox, *Firma Burgi*, 283.

[6] Riley, *Memorials*, 306, 331.

[7] *Rot. Parl.* II. 331, No. 54.

[8] Toulmin Smith, *English Guilds*, 299.

A.D. 1307—1377. *Conditions of industry.*

105. The purpose of these gilds was the regulation of work in such fashion that the public might be well served, and that the trade might therefore flourish. The conditions of supply and demand in each city were so well known that it was possible to attempt to bring them under control, and the whole industrial life was governed by different ideas from those which are at present in vogue. To-day each manufacturer works to produce at as low a price as possible, and thus to force a sale for his goods by their cheapness. In old times the effort was to secure satisfactory conditions for production—skilled workers and honest materials—and to ensure a price which should be 'reasonable' to receive, and therefore reasonable to pay, for such wares thus made. The tendency in the present day is for the conditions and quality of work to conform to the market price, and to be ruled by the opportunities for sale, whereas in old days the conditions of production were attended to first of all, and the price asked and the development of the trade were rendered conformable to these prior and fundamental conditions. It is, of course, true that the two sets of conditions must react on one another, but none the less has the change been very striking; it comes out more curiously perhaps in the proceedings of mercantile than of industrial associations; but it was the real basis on which all mediæval dealings were supposed to rest and on which all gild ordinances were founded.

Reasonable rates.

Objects of craft gild regulation.

In order that the trade might thus be well conducted it was necessary that the wares should be of good quality; but this could only be secured if men who were really skilled in the trade were appointed to supervise, with a right of search into all that was done by the craftsmen; they had to see to the quality of materials, the skill of the workmen[1] and often to the time of working. Thus night work was apt to be secret work and badly executed work; while it gave opportunities for fraud and was also objectionable as disturbing to the public[2]; and it was consequently prohibited.

[1] Thus the Braelers were to examine any strangers who came to the town and wished to follow their trade, and to report to the Mayor whether he was properly skilled, and of good standing for dwelling in the same city. Riley, *Memorials*, 277.

[2] Ochenkowski, *Englands wirthschaft. Entwick.*, 72.

The wardens who exercised this right of search could not supervise the trade unless they had some hold over the craftsman; and hence it was required that the members of the craft should be resident, and that some householder should be responsible for each of them—the master for the apprentice who resided under his roof. To some extent, therefore, it was a police system[1], but it was also a brotherhood; many of the regulations about enticing away the apprentices or servants of another master in the craft, or about not working on holidays and so forth, were intended to secure fair play between the different craftsmen and to exclude an unfair and dishonourable competition which could not be for the ultimate good of the trade. It is unnecessary to attempt to illustrate the various parts of this policy in detail; it must suffice to have sketched thus briefly the principles which governed it. There are probably few, if any, ordinances which have come down to us that do not become intelligible when they are viewed in the light of these principles.

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Responsibilities.

There is however one question of great difficulty which is suggested by these regulations; it has been said above that a gild merchant, with powers to regulate trade, existed in many English towns; what then was the relation of the craft gilds to the gilds merchant? Of course in many towns this question does not arise; in London, from which most of the illustrations have been taken, the gild merchant had no distinct organisation in times for which we have records—if indeed it had ever existed at all; in Coventry the Bakers' Gild had been established for more than a century before any *gilda mercatoria* was created. But it seems as if the gilds merchant and craft gilds must have existed contemporaneously in some towns; it may be possible to discover the relations which subsisted between these two sets of authorities, but it is not easy to do so.

Craft gilds and gilds merchant.

It may be said at once that there is no evidence that they were conflicting or rival authorities—no instances have been alleged of disputed jurisdiction between gilds merchant and craft gilds. Indeed the chief difficulty in regard

No rivalry in England.

[1] Ochenkowski, *Englands wirthschaft. Entwick.*, 66.

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to the matter arises from the fact that there is so little mention in the fourteenth century of gilds merchant at all; they seem to have passed out of sight altogether. There appear to be only two ways of accounting for this strange silence; we may suppose, either (i), that the gild merchant had been practically absorbed into the civic government of the town, or (ii) that the craft gilds were specialised branches of the old gilds merchant, and that these particular bodies supplied for each trade in a town the supervision which had been originally exercised by the gild merchant generally and over all. When we recall the fact that the relations of the gild merchant to the burgh differed in different places, we shall see that we are not even justified in assuming that any single hypothesis will explain the disappearance of the gild merchant in all towns alike. It seems quite probable that each of the alternative hypotheses already suggested is true for certain places; and that in some towns the gild merchant became practically identical with the governing authority of the town[1], while in others it survived as an aggregate of special craft gilds. Indeed they might be true together; for it is to be noticed that the two hypotheses are not mutually exclusive; the gild merchant, as identified with the town authority, might call craft gilds into being, while the members of the gild merchant formed the body out of which the separate gilds were carved.

Gilds merchant controlling crafts.

The gild merchant has been treated as identical with the burgh by so many lawyers, and the difficulty of distinguishing the two is so great, that it is likely enough that the gild merchant was really combined with the town, in creating and controlling craft gilds among the inhabitants; the functions in this respect, which Poulson ascribes to the gild merchant of Beverley, are exactly those which were exercised by burgh authorities. "Another regulation of "this *gilda mercatoria* or merchant fraternity was appoint-"ing lesser gilds, with an alderman or warden to each, so "that each description of trade was governed by its own "particular rules, subject to the approbation and control of "the twelve governors[2]."

[1] At Wisbech a religious gild was the precursor of the civic corporation which obtained its charter from Edward VI. Watson, *Wisbech*, 173.

[2] Poulson, *Beverlac.*, I. 112.

That in some instances the members of the craft gilds were also members of the gild merchant is abundantly proved. The history of industrial life in Shrewsbury has been preserved in unusual detail. We there see that from its first foundation the gild merchant contained craftsmen[1]; and as time went on and special gilds were formed for special trades their members continued to possess the privileges of membership in the gild merchant[2]. Dr Gross has quoted cases where the aggregate of craft gilds were spoken of as the gild merchant[3]; and it may be regarded as established that in such towns as Reading, Andover, Carlisle, Ipswich and Kendal at all events, the old gild merchant lived on, not so much as a distinct body, but in the life of the separate crafts into which it had been specialised.

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Craftsmen members of gilds merchant.

I venture to add two remarks, which may serve as suggestions for further enquiry, though they are little more than speculations at present. There is one feature in some English craft gilds which inclines me to think that this process of specialisation, which has been established in one or two instances, was not uncommon. According to the ancient custom of London, the man who served his seven years' apprenticeship in any trade became, not merely free to practise that particular calling, but free to trade in any fashion within the City. There was a recognised liberty for a freeman to change his business[4], and this ancient right,

Changing Trades.

[1] *Gild Merchant Rolls*, printed by the Rev. C. H. Drinkwater in *Salop Archæological Trans.*, Ser. ii. Vol. II. p. 29, and *Royal Historical Society Trans.*, 1895.

[2] Hibbert, *Influence of Gilds*, 23.

[3] Gross, *Gild Merchant*, I. 118. This appears to me the correct interpretation of the evidence about Newcastle. Dendy, *Merchant Adventurers*, I. xxiv.

[4] Compare the Complaint of the Weavers against a Grocer printed in Appendix C, and for York, Drake's *Eboracum*, 212. See also my article in the *Z. f. Social- und Wirthschaftsgeschichte* (1893), I. 60. A typical case is reported by Sir Henry Calthrop. *Reports of Special Cases*, Hilary Term, 12 James I.

"The said John Tolley doth plead a special plea in bar, shewing that there is a custome of London, which hath been used time out of minde of man, — That every Citizen and Freeman of London which hath been an Apprentice in London unto any trade by the space of seven years, may lawfully and well relinquish that trade and exercise any other at his will and pleasure. And sheweth further, — That all the customs of London were confirmed by King Richard II. in the parliament holden in the seventh year of his reign. And averreth, That he had served one in the Trade of a Wool Packer, as an apprentice, by the space of seven years, and that he was a Citizen and Freeman of London, and that he did relinquish the

A D. 1307 —1377. though often attacked was never abrogated; this custom was probably in vogue in the towns which followed the custom of London[1]. This curious usage is quite intelligible on the supposition that the crafts were all mere branches of such a body as a gild merchant, and that each formed an avenue by which an apprentice became free of all the trade privileges of the town; but it is difficult to reconcile with the suppositions that the craft gilds were formed either by association in self-defence or by the civic powers with mere reference to the economic efficiency of each industry.

High status of craftsmen.

Medieval gilds were very numerous both in town and country places[2]: but even when existing solely for religious objects, they appear to have been formed by men and women of some social status, and to have been somewhat exclusive. When the institution came to be adapted to be an organ of industrial regulation, within a town, it did not lose this exclusive character, and the craft gilds appear to have

trade of a Wool Packer, and betook to himself the trade of an Upholsterer, as lawfull it was for him to do." * * *

"As to the first question, which is the lawfulnesse of the custome, it was agreed to be good; for it might have a reasonable construction, beginning and just cause for the putting of it in execution, in so much that London, being a famous City for traffique and commerce, cannot but sometimes have merchants and tradesmen in it, who by misadventure of Pyrates, or Shipwrack in the Seas, or by the confiscation of their goods in Forraign Countries abroad, or by casualties of fire etc. at home have their estates sunk; * * * And it were lamentable, that when inevitable casualities have disabled a man to proceed in that course wherein he was brought up, he now should not be permitted to acquire his living by any other trade. Also it may be, that the trade whereunto he was an Apprentice, requireth great labour and strength of the body, as the trade of a Smith, Carpenter and such like, and that through sickness or other disasters befaln him, he is become infirm in body and weak in strength, whereby he is not able to use that trade. Now to debar him of all other trades which are more befitting his crazy body were somewhat unreasonable. Wherefore, to meet with these inconveniencies, and to give incouragement unto the Citizens and Freemen of London, this custome of relinquishing the trade whereunto they had been apprenticed by the space of seven years, and betaking themselves unto another trade, Hath had a perpetuall allowance, and being grounded upon so good reason, still hath its continuance, and may not any ways be called in question for the unreasonablenesse of it."

[1] See above, p. 224. The argument does not assume that there was a formally organised gild merchant in London, but only that the full trading privileges of London were open to all burgesses and were not lost by any of them when they joined craft gilds.

[2] There seems to be no reason for supposing that Cambridgeshire was specially favourable to this form of organisation, and if it is really typical the number throughout the country must have been enormous. M. Bateson, *Cambridge Gilds* (Camb. Ant. Soc.), also W. M. Palmer, *Gilds of Cambridgeshire* in *Cambs and Hunts Arch. Soc. Trans.* I. 330.

consisted of the aristocracy of labour[1], and its membership was recruited from those who had trading privileges in that town. A.D. 1307–1377. Journeymen in England were not a very well defined and important class, and there seem to have been large bodies of half-instructed helpers and unskilled labourers who had no part in the gild at all. The good men of the trade governed it, with constant supervision from the town authorities, but the craft gilds can hardly be regarded as democratic bodies; they were apparently the *élite* of each trade, and each was closely attached to the interest of a particular town. There seems to have been less regular intercommunication among men of the same craft in different towns in England than there was on the Continent; and these features in the craft life are at least congruent with the opinion that the craftsmen here inherited the local exclusiveness of the gild merchant. This is confirmed by a consideration of the trades in which craft gilds are known to have existed; in London almost every possible industry had its own gild, but there are some remarkable omissions in the later lists. It almost seems as if, when weaving was diffused through the country and regulated by statute, the weavers' gilds, which had been the earliest of all—fell into abeyance; while we have hardly any evidence as to the labour organisations among the masons who built our great cathedrals. That there was organisation we cannot doubt[2], but it seems to have been based on different lines from that of the ordinary craft gild. The English craft gilds were formed not merely of any men who were skilled in some craft, but of those who, being free to trade within some place, practised a particular handicraft[3]. In

[1] This point is well brought out by Mr and Mrs Webb. *Trades Unionism*, 37. Compare also Mrs Green, *Town Life*, II. 101, who refers specially to the case of Norwich in 1340. Hudson, *Leet Jurisdiction*, lxvi.

[2] Webb, *Trades Unionism*, 8. Some suggestive details will be found in Raine's *York Fabric Rolls*, 171, 181.

[3] The ordinances of the Girdlers are most instructive on this point. The London girdlers had a charter which gave the wardens of their trade a right of search along with local girdlers throughout the kingdom; and the custom of the London craft would be likely to influence those of other towns. (Riley, *Mem.* 154.) The London rules insist that no one should take an apprentice unless he was free of the City, and that no stranger should be admitted to work unless he would serve as an apprentice or buy his freedom. No women were to be set to work in the trade with the exception of the master's wife or daughter. Compare also the

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any case where membership of the gild merchant went along with membership in the craft gild, the right of the craftsman to change his trade becomes intelligible, and the comparative exclusiveness of the crafts would be the natural tendency in gilds developed on this basis. Just because the craftsmen had the fullest trading privileges in these towns, their gilds were less able to welcome or find a place for members who did not possess such freedom to trade[1].

Scotch Analogies.

The curious difference, which may arise in the development of similar institutions, is illustrated by comparing the town history of Scotland with that of England. The Scotch towns derived much of their constitution from Newcastle and the custom of London; but there was a strong Flemish influence from the first, and this was officially recognised after the war of Independence[2]; while the weakness of the royal power in Scotland gave rise to political conditions which resembled those of Flanders rather than of England.

The division of the inhabitants into guildry and burgesses reveals a state of affairs like that at Bruges or Ghent; for the guildry appear to have been an inner circle or mercantile aristocracy, and the mere burgesses did not attain to full trading privileges. Nothing analogous to craft gilds, or 'trades,' appears to have existed in Scotland till the fifteenth century, and at that time each craft was regulated by a deacon appointed by the town, which was practically governed by the guildry. During the fifteenth and sixteenth century the trades (or crafts) were constantly struggling to obtain the power to elect their own deacons, and to have a share in the government of the town, but it was only at the close of the sixteenth century that they attained these desired privileges. The local privileges survived till 1846, and gave

articles of the spurriers prohibiting aliens of another country or foreigners of this country from following or using the trade unless they were enfranchised. Ibid. 227.

[1] The merging of the gild merchant in the constitution of a town would tell against the position of women in craft gilds. Women might be members of the gild merchant but not burgesses; and would have no standing in craft gilds consisting of burgesses. (See below, p. 352.) On the whole position of Women in Parisian and London Gilds respectively, compare Miss Dixon's article in the *Economic Journal*, 1895. The chief mention of them in London is in connection with the feasts of the London Companies of Merchants. Heath, *Grocers*, 54.

[2] Gross, *Gild Merchant*, I. 199.

rise to frequent cases in the courts of law, so that the study of old town life in Scotland is facilitated by its survival till recent times. But the continued existence of the guildry as an active body, and as a body from which the craftsmen were excluded, serves to accentuate the difference of development in England and Scotland respectively[1]; such remarkable divergences in the external relations and internal rules of the craft gild bring out the necessity of studying the evidence about this institution as it is found in each country, and not trusting to the argument from analogy, however tempting it may be. A.D. 1307 —1377.

106. When craft gilds reached their full development the members were ranked in three distinct classes[2]. *Gild members.*

(*a*) Apprenticeship seems to have been at first a private arrangement between a master, who was also a householder, and a youth whom he undertook to instruct in his business; but it had become a recognised institution before the fourteenth century[3], and was subject to public regulation in London, and other towns adopted a similar practice[4]. During the fifteenth century it became the usual, if not the only, method of entering a calling[5]. The position of the apprentices may be most easily understood from the terms of an indenture of the fifteenth century:— *Apprentices.*

"This indenture made the xviii day of September the A.D. 1480.

[1] In Scotland the deacons concerned themselves with viewing articles exposed for sale, but the right of search by the wardens, into the materials and conditions of manufacture, was little exercised; there was much laxity in Scotland about the terms of apprenticeship and the essay or masterpiece was the chief test of fitness for the trade; little is heard of that in England though something of the sort was required by the London Pewterers Company in 1559 (C. H. Welch, *History of Pewterers Company*, I. 201), and several seventeenth century instances are mentioned by Mr Unwin (*Gilds and Companies*, 264, 347).

[2] These grades are found in the highly developed gilds of Paris as early as the thirteenth century (Etienne Boileau, *Livre de métiers*), and they are apparently alluded to in the thirteenth century Assize of Bread, where servants and lads are mentioned as well as the baker (see below, p. 568).

[3] Riley, *Lib. Cust.* I. 93. See also p. 338 above. The growth of apprenticeship in England has been carefully traced by Miss O. J. Dunlop in an unpublished essay on the National System of Apprenticeship.

[4] Bristol, 1344 (Bickley, *Little Red Book*, 36), Lincoln, 1328 (Toulmin Smith, *English Gilds*, 183).

[5] Miss Dunlop points out that the older practice had been to admit any men who could prove that they were skilful workmen into the craft gild (p. 342, n. 1 above); but that this practice, though not wholly forgotten, became much less common after the middle of the fourteenth century.

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year of the reign of King Edward the iiiith the xxth between John Gare of Saint Mary Cray in the county of Kent, cordwainer on that con partie and Walter Byse, son of John Byse sumtyme of Wimelton in the same county, fuller on that other partie, Witnessith that the saide Walter hath covenanted with the saide John Gare for the time of viii yeres, and that the saide John Gare shall find the saide Walter mete and drink and clothing during the saide time as to the saide Walter shall be according. Also the saide John Gare shall teche the saide Walter his craft, as he may and can, and also the saide John Gare shall give him the first yere of the saide viii yeres iiid in money, and the second yere vid and so after the rate of iiid to an yere, and the last yere of the saide viii yeres the saide John Gare shall give unto the saide Walter x shillings of money. And the saide Walter shall well and truly kepe his occupacyon, and do such things as the saide John shall bid him do, as unto the saide Walter shall be lawful and lefull, and the saide Walter shall be none ale goer neyther to no rebeld nor sporte during the saide viii yeres without the licence of the saide John. In witness whereof the parties aforesaide chaungeably have put their seales this daye and yere abovesaide[1].'

Relations with Masters.

There are many additional illustrations of the position of apprentices as it was defined in the fifteenth and sixteenth centuries Some rules are intended to protect the masters against an apprentice leaving before his full time had expired, or leaving in the master's debt[2]. At Coventry (1520) no capper was to take an apprentice unless he had two sureties that he would perform his covenant; if the apprentice complained that he had not sufficient "finding[3]," and the master was in fault, the apprentice was to be removed on the third complaint and the master would have difficulty in replacing him. Once a year, the principal master of the craft was to go round the city, and examine every man's apprentice and see they were properly taught. The Clothiers' regula-

[1] *MS. O.* 2. 53 in Trin. Coll. Camb. [2] Heaumers, Riley, *Mem.* 238.

[3] Mrs Green notes that at Ipswich this included clothing, shoes, bedding, board and chastisement. *Hist. Mss. Com.* IX. 259. At Romsey the apprentice was to receive 10*s.* at the conclusion of his term. Ibid. v. 513. Elaborate rules for the protection of apprentices existed at Northampton, C. A. Markham, *Records*, II. 320.

tions, which appear to be of about the same date, though they are incorporated with rules of a later character, had a system of allowing an apprentice to be turned over to another master if his own master had no work, so that he might not lose his time. In Norfolk, where a similar custom was in vogue, the masters were liable to very severe punishment[1] if the change worked unfairly to the apprentice. A.D. 1307—1377.

(*b*) In describing the position of the apprentice it has been possible to draw on evidence from a later date, as the rules which were enforced in the fifteenth or sixteenth century at all events serve to illustrate the condition of this class. But there is much greater difficulty in obtaining evidence about the journeymen; this class is not so clearly defined as that of the apprentices, and we have not sufficient data to distinguish with certainty between skilled and unskilled helpers in any craft. The records of some continental towns[2] are full of regulations for the journeymen; we read at S. Omer[3] that they were not to seek work at shops but were to wait in public to be hired, that preference was to be given to the decayed master, and to the burgess of the town over the foreigner. In England the journeymen had occasionally a position of importance[4]; but for the most part the rules about them and the serving men are confined to insisting on the responsibility of masters for the conduct and welfare of those they employed[5], and with laying down that no master is to entice away another man's servant[6], and that the servants are not to combine among themselves and make congregations. The evidence which we have as to the condition of the journeymen comes almost entirely from times when disputes occurred between them and the masters. Such difficulties arose after the Black Death among the London Shearmen[7], when the serving men and journey- *Journeymen and servants*

[1] *Paston Letters*, I. 378.

[2] In some places on the Continent the journeyman class was not more clearly defined than in England. Sombart, *Der moderne Capitalismus*, I. 117.

[3] Giry, *S. Omer*, I. 349.

[4] At Exeter in 1481 two of the Cordwainers' Wardens were shopholders and two were journeymen, *English Gilds*, 332. The ordinances of the London Bowyer were agreed to by the serving men as well as the masters. Riley, *Mem.* 348.

[5] Heaumers, Riley, *Mem.* 232, Braelers, Ibid. 277.

[6] Shearmen (1350), Riley, *Mem.* 247, Glovers, Ibid. 245, Braelers, Ibid. 277, and Pewterers, Ibid. 241.

[7] Ibid. 247, 250. See also the general order, 253.

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men were combined in a demand for higher wages. But similar trouble had arisen among the cordwainers as early as 1306[1] and the journeymen were forbidden to make ordinances for themselves. In 1387 there was a great conspiracy among the servants in this craft to raise wages; they maltreated a 'blackleg' who would not join them, and relied for assistance from the Court of Rome on the kind offices of a friar[2]. At the same time these conspiracies appear to have been merely occasional, and there is at present little evidence that English journeymen united in permanent associations[3], such as were common on the continent[4]. This lack of organisation is not improbably connected with a difference of practice, for English journeymen do not appear to have formed the habit of spending some *Wanderjahre* in perfecting their acquaintance with their craft[5].

The Master.

(c) The master was a substantial man and a householder who both from his skill and his position in the town could undertake the responsibility of training an apprentice. The members of his household had a recognised position, for his eldest son could claim to become free of the craft by patrimony, and wife and daughter were permitted to help in the craft[6] while he was prohibited from employing other women. In the case of the London weavers these rights descended to his widow, but in a restricted form; for if she subsequently married a man who was not of this craft, she had to relinquish her house to someone who was a weaver[7]. Even in this carefully limited form the right seems to have been exceptional; for the position of women was much less favourable in the gilds of London than in Paris[8]. In the French town women workers had gilds of their own, which were organised on exactly the same type as the other *corps de métiers*; while women members were definitely recognised in many of the other bodies; women workers do not appear to have been

[1] *Lib. Cust.* (R. S.), 84.

[2] Riley, *Mem.* 495. As Mrs Green points out the friars were in several cases accused of aiding and abetting these movements. *Town Life*, II. 125.

[3] On the yeoman and bachelors gilds, see below, p. 443.

[4] Schanz, *Gesellen-Verbande*, p. 31.

[5] Webb, *Trades Unionism*, 23 n.

[6] *English Gilds*, 180. Riley, *Memorials*, 217, 278, 547.

[7] Riley, *Mem.* 124.

[8] Miss K. Dixon in *Economic Journal*, 1895.

under any disability on account of their sex. In London, on the other hand, there seem to have been no organisations among women workers in the fourteenth century, and the privileges they enjoyed were very restricted. That they were regarded as mere outsiders may also be inferred from a statute, which left them free to pursue various callings while it restrained any artisan from following more than one[1]. A.D. 1307—1377.

V. Economic Doctrine.

107. The rapid development of trade, which had taken place in the twelfth and thirteenth centuries, had rendered commerce a very important element in social life. The commercial classes had attained an independent status in their gilds merchant, and their representatives were able to take a decided part in the government of the realm. And as merchants had such a distinct and well marked position, and were such an important factor in the State, it was natural that special attention should be given to their requirements, and that men should reflect on the conditions which would promote the prosperity of merchants and through them that of the realm. The time was ripe for an advance in economic doctrine, for economic phenomena could be easily examined as a well marked group of social affairs. A.D. 1272—1377. *Reflection on economic phenomena*

The fourteenth century too rendered some examination of commerce, and especially of the medium of exchange, not only possible but inevitable. In many countries the coinage had been much debased, and internal trade as well as foreign commerce was hampered by the scarcity and defective character of the circulating medium. The most in- *and monetary problems.*

[1] It is ordained that Artificers Handicraft People hold them every one to one Mystery, which he will choose betwixt this and the said Feast of Candlemas; and Two of every Craft shall be chosen to survey, that none use other craft than the same which he hath chosen * * But the Intent of the King and of his Council is, that Women, that is to say, Brewers, Bakers, Carders and Spinners, and Workers as well of Wool, as of Linen Cloth and of Silk, Brawdesters and Breakers of Wool and all other that do use and work all Handy Works may freely use and work as they have done before this time, without any impeachment, or being restrained by this Ordinance. 37 *Ed. III. c.* 6.

A.D. 1272 —1377.

teresting economic treatise of the time, written in England, deals with the subject of the currency; the *Tractatus novae monetae*[1] was probably the work of Walter de Bardes, a Lombard who held the office of Comptroller of the Mint during a great part of the latter half of the fourteenth century[2]; he describes the technicalities of his department in a fashion which invites comparison with the dialogue on the organisation of the Exchequer. He treats at some length of the purchase of metal for coining, and of the business of the mint, especially of the trial of the pyx; but while he writes as an authority on these technical points, he hardly touches on any of the financial questions about the currency which were coming to the front. Grave practical difficulties had arisen in the reigns of Edward I. and Edward III.; and the various proposals put forward show that the legislators were feeling their way and had no clear doctrine in regard to money and coinage. A very successful effort had been made by a French bishop, however, before the end of Edward III.'s reign, to investigate the whole subject; and his treatise *De mutatione Monetarum* may be regarded as the first careful study of the reviving commercial life of Europe. Its interest lies partly at least in the fact that it is not a mere re-setting of fragments of classical learning, but is a careful examination of the actual difficulties that were felt in commercial circles at the time when the author lived.

Nicholas Oresme's treatise.

Some information in regard to the economic doctrine of the fourteenth century may be obtained from another source; the condemnation, which City authorities pronounced and enforced on certain forms of business, gives us an insight into City opinion as to the legitimate and the baneful use of commercial capital. The sixteenth century worked a revolution in mercantile habits and ordinary business practice,

Business practice as evidence of City opinion.

[1] My attention has been called to this treatise by Mr Hubert Hall, who has discussed the authorship in his Introduction to the *Red Book of the Exchequer*. The treatise is also found in the British Museum, Lansdowne, 171.

[2] Messrs Crump and Hughes suggest that the treatise was written in the reign of Edward I., but that in its present form it contains insertions made in 1350; they make no attempt to solve the question as to the identity of the Author. *Economic Journal*, v. 51 n.

as in much else, but even as early as the fourteenth century there were conditions which favoured the growth of a moneyed class; it is interesting to see the problems which exercised men's minds at this time, as well as to trace the influence on industry which the *nouveaux riches* exerted in the fifteenth century[1]. A.D. 1272—1377.

108. During the whole Edwardian period we have seen how a conscious regard to the well-being of the realm as a whole was superseding the mere municipal privileges of the earlier reigns. In the work of Nicholas Oresme, which was apparently written in 1373, some years before he was elevated to the see of Lisieux[2], this comes out with great clearness. It was known and circulated in England and an English version was attempted by a translator who was quite incapable of carrying out the work intelligently, but his unsuccessful effort at all events proves that the work was known and valued in England in the earlier part of the fifteenth century[3]. It had to do with questions of coinage—a matter of pressing interest both in England and France. Before dwelling on the economic doctrine it contains, however, we may just note the political principles embodied in it. *Oresme's treatise*

Known in England.

The fundamental point in his whole argument is the assertion that the money of a country belongs to the community and not to the prince; it is not the sole possession of the monarch, as it is not intended for his sole use, but for a social purpose[4]. The prince has authority to issue coinage and regulate it, though it is not his own possession, but that of the whole body who have the use of it. From this principle the author deduces an opinion that the expense of minting should fall on the community; and he also insists that the prince has no right to make a gain out of the coinage or to tamper with it in any way. *The money belongs to the commonwealth.*

The object which the prince should keep in view in all acts of government is clearly stated, while the conduct of the tyrant is contrasted[5]. The tyrant aims at his own private *Princes and tyrants.*

[1] See below, p. 437.

[2] Wolowski's edition, p. xxxiv.

[3] This translation, in a hand which appears to be not later than 1450, is in the Library of Trinity College, Cambridge, *O.* 3. 11.

[4] cc. 5, 6.

[5] c. 25.

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good and tries to subordinate the subjects to this end; the king on the other hand prefers public to private 'utility,' and next to God and his own soul he loves the good and the public liberty of the subjects. The whole treatise is full of references to the *Ethics* and *Politics* of Aristotle, such as are not common in fourteenth century books. It is also interesting because the author disputes the opinion expressed in the *Opusculum* attributed to S. Thomas Aquinas, and shows that the prince has no right to make gain out of the coinage. So grave are the economic evils which come from debasement, that the community itself could never be justified in delegating a power of this kind[1], and the prince neither possesses it inherently nor is there any source from which he can receive it.

Practical bearing of his treatise.

Even though this treatise did not fulfil the author's expectation[2] and serve to set all controversy on the subject of coinage at rest, it may fairly be credited with very great practical results. During the reign of John the Good, and especially in the years 1359 and 1360[3], the French coinage had undergone a series of constant variations; and the evil effects of the uncertainty thus produced were everywhere patent. Nicholas Oresme as the tutor, or at least adviser, of Charles V. had ample opportunity of indoctrinating that king with his own views on the currency, and during his reign practical effect was given to the views expressed in this treatise and the fluctuations ceased, with most beneficial results as far as the commerce of France was concerned. M. Wolowski[4] has pointed out that Nicholas Oresme formulated opinions which were prevalent and were embodied in a great ordinance of 1355, issued from Paris. It is also true to say that some of the views he promulgated were those on which Englishmen were acting. This is especially obvious in regard to the political principles which he put forward; with him the 'communitas' is not the commune, but the commonwealth. He is not merely concerned to promote the well-being of some incorporated town, as against other towns, but he deals with the whole body

[1] c. 22.
[2] Prologue.
[3] Wolowski's edition, p. xlii.
[4] p. xlvi, note.

politic in which the same coins circulate, for whose use money is provided, and to whom it belongs. In thus making a clear survey of the national possessions and obligations, as well as the national relations to other countries, Oresme took the standpoint of political rather than of municipal economy; and it is the good of the polity, not the advantage of the person who occupies the throne, that he considers. The conceptions of national wealth and national power were ruling ideas in economic matters for several centuries, and Oresme appears to be the earliest of the economic writers by whom they were explicitly adopted as the very basis of his argument. A.D. 1272—1377. *National wealth.*

109. The treatise of Nicholas Oresme is not only interesting from the standpoint he adopts, but because of the acuteness with which he discusses many matters of economic interest. He shows the convenience of exchange, because of the difference of natural products in different places; and he defines money as the instrument of interchanging the natural riches which in themselves supply human wants. Money does not directly support life, but is an instrument discovered by art for the more ready exchange of natural wealth[1]. From this distinction it appears to follow that some men are engaged in supplying the commonwealth with natural riches and thus pursue useful and honourable callings, which are necessary for the community[2]. There are others who enrich themselves by transactions in artificial riches, as exchangers or usurers; such men are superfluous to the community as they do not cater for its necessities, and are disreputable; while their riches are often obtained by the impoverishment of others. This may be regarded as a hint of a distinction corresponding to that which modern economists have drawn between productive and unproductive labour; honourable callings supply the actual needs of the community, physical and spiritual, directly; men who follow disreputable callings do not really cater for the needs of the community, but enrich themselves at the expense of their neighbours. *Exchange.* *Riches, natural and artificial.*

The author also discusses the materials of which money may most suitably be made[3], and decides in favour of the *Material for money*

[1] c. 1. [2] cc. 18, 21. [3] c. 2.

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precious metals; they can be readily handled, they are portable, and they have much value in small compass. All these qualities gold possesses in a high degree; but it is not always available in such abundance as to be a sufficient medium of circulation, so that it may often be necessary to use silver also, and even baser metals like copper or an alloy of silver like black money[1], which is specially convenient for small payments. He lays down as a rule that if two kinds of metal are circulating together, the more precious should not be alloyed, but should be kept above suspicion, while a sufficient supply of money may be provided by an alloy of the less precious of the two.

Alteration of money

Next we have a discussion of the different ways in which money may be altered. The stamp[2] on the coins may be altered, but this is of little importance, as long as it involves no farther change; though there may be good reasons for calling in the old coinage when this is done, if worn coins or debased foreign coins are in circulation. Again, the ratio of exchange between gold and silver may be altered; Oresme assumes that 20 to 1 is the ordinary ratio of exchanges, and he rightly holds that their ratio as coins ought to follow the relation of gold and silver as commodities, and that there should be no arbitrary rate[3]. This is perfectly sound as far as it goes: the farther question—what determines the ratio of exchange of gold and silver?—is one on which he does not enter; and indeed it was not satisfactorily dealt with even by the economists who discussed recoinage in the time of William III.: they had made but little advance on the mediæval doctor.

in denomination

He then passes to consider another expedient—that of altering the denomination of the money by affixing a new sense to the old names; if only one name is altered while the others are preserved, that is a change of ratio; but if all are altered, so that the ratio is preserved, there can be no good result; and it ought not to be done, because it is merely

[1] c. 3. [2] c. 9.

[3] Veruntamen ista proportio debet sequi naturalem habitudinem auri ad argentum in pretiositate, et secundum hoc instituenda est hujusmodi proportio, quam non licet voluntarie transmutare, nec potest juste variari, nisi propter causam realem, et variationem ex parte ipsius materiæ, quæ tamen raro contingit. c. 10

false and scandalous to call that a pound which is not a pound. Besides it will be really prejudicial to those who have made agreements about regular payments, such as rents, in terms of coin. A.D. 1272—1377.

by reducing weight and debasing.

Diminution of the weight of coins, as well as the coining of less pure metal, are both condemned as false, and unworthy of the prince; but the latter is worse as it is less easy to detect: "magis est sophistica et minus perceptibilis et magis potest nocere et plus lædere communitatem[1]." All through there runs the idea that for the prince to issue money, under his own image and superscription, which is not what it purports to be, is mere lying; and that to try and get gain by so doing is to grasp at wealth which is not really his. In one very interesting chapter the author proves that to get wealth in this way is worse than usury—in fact it is a depth of depravity to which Aristotle's contemporaries had not attained, so that the philosopher does not discuss it at all. For the usurer lends his money to one who has made a voluntary contract with him[2], while the prince who debases the currency deprives the subject of good money and gives them bad, whether they like it or no.

Effects of debasement.

The author follows out the evils that arise from debased currency in some detail. The prince may have to condemn utterers of false coin, but how scandalous if he were guilty of the same crime himself. There is a temptation to get gain in this way rather than by levying taxes, because it does not cause such immediate complaint; but it is all the more perilous on that account: for where bad money has been issued, good money will be carried out of the realm, however careful the supervision may be, and debased money, similar to that which already passes, will be imported from abroad. In this way the bullion of the country will be diminished, and if there are no mines, the prince will not have the necessary material for issuing coinage[3]. Altogether it may be said that a very large number of points of economic doctrine in regard to coinage are discussed with much judgment and clearness.

[1] c. 13. [2] c. 16. [3] c. 20.

A.D. 1272—1377.

110. Evidence has been already adduced to show that during the fourteenth century a moneyed class of Englishmen was coming to the front. English capitalists had ousted the Jews and Lombards from their position as intermediaries in public finance; they had been temporarily balked in their endeavours to force their way into foreign trade but they were more successful in their efforts to secure a command of internal trade. The existence of this capitalist class gave rise to many interesting developments of town life and industrial institutions in the fifteenth century, which we shall have occasion to consider below; but even in the fourteenth the ethical questions connected with the use of capital were engaging the attention of the City courts. One case has been recorded which serves to illustrate the nature of the monetary transactions in the City, and the opinions of business men about them.

City opinion on monetary transactions.

In the month[1] of January, 1377, Ralph Cornwaille, of Broad Street, made a complaint to the Mayor and Aldermen of the City of London. At the preceding Michaelmas he had been anxious to get a loan for a period of three months, and went to two brokers, one of whom was a Lombard[2], to procure it for him, at the same time promising them a commission for their trouble in the matter. The brokers found that Walter Southous was willing to lend the money (either his own or acting on behalf of a friend) on receiving security for the repayment of the full amount on a given day from Ralph Cornwaille, as well as similar security from Ralph's friend, John Tettesbury. When the necessary documents were complete, however, the brokers only advanced £10 to Ralph; at the time of repayment, he tendered the £10, which was all he had had, but Walter Southous refused to receive it, persisted in his demand for £2 more, and sued Ralph before the Sheriff, to his "great wrong and damage[3]."

Loan for three months

at interest

The case was a hard one according to modern ideas, for 20 per cent. was an extravagant charge for a three months' loan

[1] This and the following paragraphs formed part of a paper read before the Bankers' Institute and published in the *Journal*.

[2] John de Saint Maricmont and Aldebrande Gascoigne.

[3] Riley, *Liber Albus* (4to.), 340.

fully secured; but the wrong which rankled in the mind of Ralph was not that the interest was extortionate, but that he was called to pay interest at all,—to return anything more than he had received—and his view of the case was fully endorsed by the City authorities before whom the matter was re-opened. Some years before this time, King Edward III. had empowered the men of the City of London to form a special tribunal to deal with cases of the sort[1]. They had framed their own ordinances and they had full power to enforce them. In the present case, Ralph Cornwaille was declared free from all obligations in connection with the debt, and Walter Southous was condemned to be imprisoned till he made over double the £2, which he had tried to get by usury, as a forfeit to the City of London. He had, with the cognisance of the brokers, disregarded the ordinances of the City of London against usury[2]—ordinances which the public opinion of the day completely endorsed[3]—and there could only be one result, according to the law and feeling of the time, when such conduct was brought home to him.

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condemned.

[1] Riley, *Liber Albus* (4to.), 318.

[2] Framed in 1363. "Whereas heretofore the City of London has sustained great mischiefs, scandals, and damages, by reason of certain persons who, neither for fear of God nor for shame of the world, cease, but rather do daily exert themselves to maintain the false and abominable contract of usury, under cover and colour of good and lawful trading; which kind of contract the more subtily to deceive the people they call 'exchange' or 'chevisance,' whereas it might more truly be called 'mescheaunce,' seeing that it ruins the honour and soul of the agent, and sweeps away the goods and property of him who appears to be accommodated, and destroys all manner of right and lawful traffic, whereby, as well throughout the land as the said city, they ought principally to be upheld and maintained." In 1390, additional explanations were framed. "And whereas such ordinance is too obscure and it is not comprised therein in what is especially usury or unlawful chevisance, Adam Bamme, Mayor, and the Aldermen with the assent of the Commons of the said City in the Guildhall assembled on the twelfth day of May in the fourteenth year of King Richard the Second with good advice and wise deliberation thereon, with the assent aforesaid, have ordained and declared these articles as to usury and chevisance, in manner following, that is to say:—If any person shall lend or put into the hands of any person gold or silver, to receive gain thereby, or a promise for certain without risk, such person shall have the punishment for usurers in the said ordinance contained." Riley, *Liber Albus* (4to.), 319, 344. Complaints of ecclesiastical laxity in this matter are not unfrequent. Compare *Rot. Parl.* III. 280 (24) and 541 (68).

[3] The Commons petitioned in 1376 that the ordinances of the City of London be enforced against usury and that similar powers be given to the bailiffs and mayors of all cities and burghs. *Rot. Parl.* II. 350 (158). On the transference and extension of municipal customs in earlier times see above, p. 224.

A.D. 1272—1377. *Conditions of mediæval business.*

The conditions of business in the fourteenth century were such that banking operations were very circumscribed. Though bills were used for the transmission of wealth, there is a striking difference between those times and ours in the absence of commercial credit[1] as a basis for transactions of other kinds; there were no bank notes or cheques, or other instruments of credit. We must remember that transactions were carried on in bullion; men bought with coins and sold for coins; loans were made in coins and repaid in coins; a special coin was struck for payments to foreign countries[2]; and thus the whole currency was metallic. There was no paper circulation of any kind; this continued to be the case, for practical purposes, till the latter part of the seventeenth century. Dealing for credit was little developed, and dealing in credit was unknown; hence there was no room for a large part of the functions of modern banking.

Metallic currency.

Exchange of coins.

It might have been supposed, however, that there was scope for business in money changing; that just as the modern banker receives payments in "promiscuous money's worth," and converts them into money[3], so there was need of some men to distinguish the different values of the coins of different countries, and to supply merchants from abroad or merchants going abroad with current coin in exchange for the money they had with them. This was certainly a very difficult business; and the necessity of accomplishing it somehow led at a later time to the establishment of the Bank of Amsterdam[4]. But it was not a calling which was open to moneyed men in London in the fourteenth century, as it was carefully preserved as a prerogative of the Crown, and exercised by royal officers, or merchants who farmed it from the Crown for a period of years. The reason of this was obvious; the minting of money was one of the royal prerogatives, and the officers of the Exchange were empowered to see that no foreign coinage got into circulation in this country, but that it was sent to the Mint for re-coinage; and

[1] Except what corresponds to book debts.

[2] The Noble. *Rot. Parl.* II. 137 (14), 452 (117).

[3] Rae, *Country Banker*, 156.

[4] Adam Smith, *Wealth of Nations*, IV. 3.

1272

also that the English currency was not unduly exported. It was not unnatural, therefore, that the business of exchange should be kept in the hands of officials, though freedom was granted to merchants to exchange with one another as long as they did not do it for gain, but only for mutual convenience. A.D. 12, —1377.

While two of the principal functions of modern banking were not open to the moneyed men of the fourteenth century, they were also restricted in their operations, because the opportunities for lending out money were comparatively few. The demand for money for commercial or industrial purposes, at the only rates at which men were accustomed to lend, was practically nil. It is not likely that the mediæval merchant was often able to make a profit on capital if he borrowed at 80 per cent., and, as a matter of fact, money was not borrowed except for emergencies,—as in the well-known case of *The Merchant of Venice*. The emergency might arise in many ways; but it less frequently occurred in connection with trade than from the sudden pressure of taxation on a man who was really wealthy, but had no ready cash in which to defray these demands. Thus royal and papal agents had the most frequent opportunities for lending money to English subjects; the Jews had come over with the Conqueror and settled in the principal English towns to carry on money-lending as a sort of royal monopoly, and the Lombards are said to have come as the agents of papal taxation. In these times taxes were levied in large amounts, which were demanded every now and then as occasion arose, and the Jews and Lombards lent money to the subjects who were suddenly called on to pay large sums which they did not possess; they might be wealthy landowners or merchants, but their wealth could not be realised, and the Jew or Lombard was able to take advantage of their necessity to charge exorbitant rates. Money-lending in its beginnings here had nothing to do with commerce; wealthy men borrowed in an emergency, or to equip for a war; they could give ample security to the lenders, but the rate of interest they had to pay had no relation to the profits of commerce, for it was simply determined by the temporary necessity of the borrower. No wonder that the Commons

Little demand for loans of capital.

Emergencies.

A.D. 1272—1377. A.D. 1376. complained[1] that "many men had been undone and brought to poverty by this horrible practice."

Gratuitous loans.

It is probable that even in an emergency merchants did not often have recourse to borrowing, as the gilds merchant made arrangements which enabled them, in some cases at all events, to get temporary aid[2]; but for the ordinary course of business they preferred another expedient when they saw an opportunity of trading on a larger scale. They formed temporary partnerships, in which two or more persons joined in the risks of an enterprise on the understanding that they would share in the gains; this was lawful traffic as the people of London understood it, and men who had money lying by them might use it so as to gain by it fairly and honourably if they would share risks and profits with other merchants. There was no reason why a hoard should lie idle because it could not be borrowed on a promise for certain gain without risk, as it might be clubbed with the hoards of other men who shared risks and profits together. No objection, either ecclesiastical or popular, was made to such a manner of proceeding as this; while it was available, there was no necessity to borrow capital for trading purposes; and hence the field for lending money was limited, although the rates at which it could be done were exceedingly profitable.

Partnerships.

Total mass of money small.

Lastly, and most important of all, there was in those days a comparatively small supply of money which could be loaned out; the whole amount of the precious metals in Europe was small, and though England had long carried on a prosperous trade, the drain for papal taxation and political purposes must have been considerable. In the reign of Edward III., indeed, the spoils of Calais and the newly-planted industries may have combined to bring more bullion to England, and to render it more common for merchants or other burgesses to possess a hoard which they did not know how to use; but at all events it was convenient that the business should be carried on by the intervention of brokers, who brought the borrower and lender together, and had a commission for their

[1] *Rot. Parl.* II. 350 (158).

[2] Compare the Gild Statutes of Coventry. Gross, *Gild Merchant*, II. 50. For other cases of gratuitous loans see above, p. 259 nn.

trouble; this seems to have been the nearest approach to banking during the fourteenth century in the City. The ordinances of 1363 mentioned above[1] are very instructive as to the usual practice, and the opinion of the City authorities on the subject. "Whereas such bargains are but rarely carried out without false brokers, who, for their own profit, do often intermeddle so as to deceive both parties, the said good folks have also ordained and established, that all those who shall from henceforth be attainted of acting as brokers in such knaveries, shall the first time be put in prison one whole year; and if they shall be a second time attainted thereof, that they shall forswear the said City forever, and shall be led through the City, with their heads uncovered, unshod, and without girdle upon horses without saddles; and shall be so escorted from the midst of the place unto without one of the gates of the said City that so all others may be warned through them, and be the more abashed to commit such or other like knaveries. And be it made known that the intention is of all the good folks that the punishments aforesaid shall be incurred as well by those who shall be attainted of being partners in the said bargains, as by the principals therein[2]." Evidently an evil time for those who had hoards they were disposed to lend, or for the brokers who brought the lender and borrower together, and thus did banking business. A.D. 1272—1377.

111. This account of fourteenth century opinion may be rendered clearer if we revert to the consideration of the special illustration quoted above. Ralph Cornwaille went to the Lombard broker who was to negotiate the loan and get something for his trouble; so far it was all right, no one took exception to such payment for a real service rendered. Walter Southous demanded full security that the money should be repaid at a definite date, and there, too, his conduct met with full approval from City men at the time. He might be inconvenienced if he lay out of his money beyond the given time, and if the borrower did not keep his day; to avoid risks as to repayment and risks as to punctuality he was perfectly justified in seeing that the debt was amply *The merits of the case.* *Security.*

[1] See above, p. 361.

[2] Riley, *Liber Albus* (4to.), 320.

A.D. 1272 well; but to ask for more than this and charged for the use of the money, public opinion did not support him. His money was safe, it appeared, he was sure to get it back at the time he wanted it himself; and that being so, why should he charge for the use of it? He need not, they would have said, have lent the money unless he liked,—unless it was lying idle in his strong box,—but having lent it why should he be paid for an action which involved no risk and no privation? Of course, if there was risk, or if the borrower 'broke day' and caused inconvenience, there was a reason for making a charge; but the case we have before us was typical of a vast number of transactions when there was no real risk and no real privation, and therefore, as men thought, no justification for taking *usury*, or *interest* as it is more commonly called in the present day. We may regard 80 per cent. as an excessive rate of interest, but the City men of 1377 did not condemn it because it was excessive; in their eyes it was wrong that there should be any charge for the use of money, of which the repayment at a given date was fully secured. 'No risk, no gain' was their maxim of lawful traffic, and therefore, from their point of view, the man who took security, or otherwise bargained himself out of all the risks of trade, had no claim to share in the profits.

1377.

No gain if there is no damage and no risk.

The modern justification of interest.

What then were the reasons of a feeling, which is at first sight unintelligible? Modern men would be inclined to say 'that so long as the rate was not excessive, Walter Southous did a real service to Ralph Cornwaille by lending him the money when he wanted it, and that the Lombard showed himself a useful member of society by introducing the two, and thus bringing about a transfer of capital that was lying idle into the hands of a man who had occasion to use it. Such money-lending was in itself useful to society; and even though risks were excluded by the terms of the bargain, the wealthy man required some inducement to render the other a service; had the City authorities not made regulations which rendered it necessary to do such business secretly he would probably have been satisfied with a moderate rate; Ralph Cornwaille had to pay highly for the accommodation, because of the mistaken attempts at regulation.' Such I take to be

to society by bringing capital into the hands of men who see their way to employ it well; that (*b*) people must have some inducement beyond security for its return, or they will hoard their money instead of allowing others to use it; and that (*c*) exorbitant rates have been brought about by mistaken governmental or ecclesiastical interference. From each of these propositions City opinion in the fourteenth century would have dissented.

Interest was charged at monopoly rates.

To begin with (*c*): As a matter of fact, money-lending for the sake of gain had first appeared in England under royal, and had continued under ecclesiastical, patronages. The high rates paid to the Jews were not due to the risk incurred in evading the law, as there was no tribunal which could touch a Jew for his part in such business. The high rates obtained by the Pope's merchants were apparently charged under forms which were not condemned by the Canon Law, and there was no appreciable danger of their being convicted in any of the ecclesiastical courts. The exorbitant rates were charged because there were comparatively few moneyed men, and these men were able to trade upon the necessities of their fellow-subjects.

Partnership gave facilities for commerce.

Again, it would have been said in reply to (*b*), that the opportunities for gain which partnership afforded were quite sufficient to draw out the hoards of the wealthy. 'Let him have full security, or let him have gain,' but money was forthcoming without bribing men by offering both security and gain. Partnership in risks and in gains was the true way to develop sound enterprise: brokers would be well employed in arranging such partnerships, and there was ample inducement for the wealthy man to bring out his money and have it employed for him. But if he would not take business risks, he ought not to bargain for a share in business gains; however small the sum he asked might be he was claiming an *assured* gain when the speculation might really fail, and the borrower have to pay for the use of money which had as a matter of fact proved useless. If he liked to lend money for which he had no use, and to require repayment at a given date, and get security for the repayment, good and

A.D. 1272—1377.

well; but to ask for the most moderate usury for money he could not use, and would not risk, seemed to the men of that time quite unjustifiable and merely extortionate.

And it was not obvious that money-lending would benefit the community.

And hence the fourteenth century City men would have emphatically denied (*a*), since money-lending was not useful to society according to their notions. Apart altogether from the injurious effect on the morals of the lender, which the Church should look to,[1] apart altogether from the injury done to the borrower who was lured by an unreal advantage to his ruin, it did mischief to society by hindering lawful traffic; just because men could make large sums by lending, they were less likely to join in partnerships, and undertake the risks of trading, though it was by 'lawful traffic' and not by money-lending that the prosperity of the country was really developed. In so far as the wealth of moneyed men was diverted to usurious dealings[2] instead of being employed in regular trade, there was a danger and not a benefit to society, for money was actually diverted from the directions in which it could be best used for the real advantage of the nation. On the whole it appears that City opinion was in perfect harmony with the principles about natural and artificial riches which are laid down in Oresme's treatise.

[1] See p. 557 below. The ecclesiastical authorities busied themselves about the moral character of secured investments of various kinds rather than with the use of capital engaged in trade. The conditions, under which Rent charges had been treated as allowable, were gradually disregarded. An interesting example is given by Mr Leadam, *Select Cases in the Star Chamber*, LXXXIII.

[2] John Gower, *Vices of Society* in *Political Songs* (Rolls), I. 358.

IV. LANCASTER AND YORK.

I. Disintegration and the Beginnings of Modern Society.

112. The course of English History till the reign of Edward III. was marked by continued, if not steady growth. Even the struggles which brought about temporary disorganisation, had resulted in the infusion of new and valuable elements into the population. Danish settlers and Norman artisans found a footing on our island, along with the agriculturists who had won it at an earlier time. From the Norman Conquest onwards, we appear to have a constant development of the powers of producing wealth. There was a rapid increase in the towns and a real progress in the rural districts, as is evidenced by a comparison of *Domesday Book* with the *Hundred Rolls*; and the monuments which survive prove the excellence to which Englishmen had attained in many of the arts of life. A.D. 1377—1485. *Signs of national progress, both material*

There also had been a great improvement in the means of regulating the industrial and commercial forces of the country. The moral suasion of the Church, in protesting against slavery, in securing the weekly rest of the serf, or in seeking the protection of the pilgrim, was no longer the chief factor in introducing improved conditions for industry and for trade; the king's peace and royal charters had given definite securities here and there, parliament had begun to legislate for the country as one industrial and commercial whole, and the ambition of Edward III. synchronised *and social.*

A.D. 1377—1485.

with a definite scheme for the relations of England with other trading countries.

Disastrous effects of French War,

But the social structure, which had been thus gradually built up, was subjected to a severe strain, and to more than one serious shock, during the latter part of the reign of Edward III., and in subsequent times. The long-continued French war, even though it enriched this country with spoil for a few years, must have been a constant drain on English resources, both of men and money; the energy thus misdirected was not available for prosecuting the various lines of industrial progress that were opening up. On commerce this long war had still more noticeable effects; for the disturbances in France rendered the old route from the Rhone valley northwards impracticable for merchants, and the great fairs of Burgundy ceased to exist[1]; the old lines of communication and places of intercourse were utterly destroyed.

and of the Black Death.

Still more serious mischief was done by the Black Death; some attempt has been made above to estimate the extent of loss inflicted, but it is also necessary to add that recovery seems to have been very slow indeed. There was no country from which a stream of population could pour to fill up the space that was left, and it may be doubted whether the population and productive power of England had even begun to recover, thirty years after the plague first visited our shores. It is perfectly clear however, that even if the population were increasing, it could not be so effective industrially as in old days. The old methods of organisation had broken down, and a long series of troubles with the labouring class culminated in the Peasants' Revolt of 1381. In preceding chapters we have been able to follow the story of a gradual growth which went on for centuries; but in entering on this new period we shall have to try to trace the effects of sudden and violent catastrophes. It is not easy to follow out the far-reaching consequences of the Black Death, or to indicate all the readjustments which it set in motion.

There is a special difficulty in solving these problems,

[1] See below, p. 422.

because the most superficial examination of the fifteenth century presents us with a number of startling contrasts, so that it is by no means easy to detect the general course of events. There is a temptation to lay stress on some feature, which was prominent in certain places, and to exaggerate its importance by neglecting the qualifying or conflicting conditions which were certainly present, but which do not lie so much on the surface. Under these circumstances there need be little reason for surprise that different writers have expressed strangely conflicting opinions about the condition of England during this period. Mr Denton[1] paints it in the darkest hues as a period of misery and disaster; while authorities like Sir Frederic Eden[2] and Professor Thorold Rogers[3] have argued from the rates of wages actually paid, and have spoken of it as the time when the masses of the people attained the highest degree of material prosperity. The picture they have drawn of the rural population harmonises with the vivid description, which Mrs Green[4] has given us, of the vigorous life in some English towns at this time.

A.D. 1377—1485.

One-sided statements.

Many interesting facts may be brought forward in support of each of these conflicting opinions in turn, and hence a great mass of evidence can be adduced to shew that each one of them is an overstatement. It has been noticed above that there is no such clear sign of prosperity, either in the present day or in the past, as is given by certain building operations. If men have wealth which they can afford to sink in unremunerative works, they must have enough and to spare. The fifteenth century was a great period of church and chantry building and decoration; it was also an age when many civic halls and merchants' houses were erected in the towns, and it cannot have been such a desperate time as Mr Denton's language would lead us to suppose. On the other hand, the evidence which he adduces as to the general condition of the rural districts renders it necessary that we should be careful in interpreting the figures which Professor Rogers has collected; quotations of prices never carry their own explanations with them, and we can only get at the real mean-

Evidence apparently conflicting.

[1] *Fifteenth Century*, p. 103.
[2] *History of the Poor*, I. 65.
[3] *Six Centuries*, p. 326.
[4] *Town Life*, I. 58.

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ing of such particular facts, when we view them in the light of social conditions. We shall see below that the figures given by Professor Rogers do not necessarily bear the interpretation he has put upon them. Again, though Mrs Green has gathered a large collection of interesting facts about towns that were making progress, she has had to confess that she could only procure detailed information about comparatively few; she has written as if the others were making quiet progress also, and has failed to take account of the incidental evidence that many of them were silently declining.

Attempt to discriminate.

We cannot get at the truth of this difficult period by ignoring either side of the evidence, nor can we hope to strike out any rough and ready compromise between opinions that are diametrically opposed. The solution is only to be found in more careful and discriminating study, which will shew how far and where there was progress, and how far and where there was decay. We need not be surprised that, in a period of rapid change, there were many phenomena which it is, at this distance of time, difficult to reconcile. The historian of the future may be tempted to think that the declarations of free traders "that our prosperity has increased by leaps and bounds," are incompatible with the "bitter cry of outcast London." Yet both sets of facts have coexisted side by side in our own day. If we could get a thorough understanding of the fifteenth century, we should doubtless be able to reconcile well-established pieces of evidence regarding it, which now seem to be conflicting.

Distress was general, but relieved by

It may be convenient however to point out the direction in which, as it seems to me, a reconciliation is most likely to be found. No complicated investigation can be conducted without the help of a working hypothesis; the following suggestion is only offered as a first approximation to that complete explanation which cannot be hoped for, till the rich local records of several towns and manors have been more thoroughly examined. On the whole it appears that the fifteenth century was a period of general distress, when little employment was available in rural districts, when the roads and internal communications fell into decay, and when the

towns had not vigour enough to recover from the desolation caused by the Black Death. Industry, internal commerce and tillage were alike depressed. But yet the gloom was by no means unrelieved; there were two directions in which, despite the general distress we may find signs of new prosperity. The cloth trade was developing in many parts of the country, and all those who were connected with this particular industry—in growing wool, or manufacturing cloth, or exporting it—were flourishing greatly; it is not a little curious to notice how many of the perpendicular churches—like those of Long Melford and Lavenham—are monuments to the prosperity of this special industry in a time of general depression. The action of Edward III. in encouraging the introduction or improvement of this trade was bearing good fruit. But even if there had been no additions to the production of the country and no increase in the volume of trade, there was another way in which there seem to have been new developments of native prosperity. The commercial and financial business of the country had been partly and was being increasingly transferred from the hands of aliens to those of Englishmen; the wealthy burgesses, who had taken the places of the Jews and Lombards, were able to organise themselves in important companies and to build magnificent Halls both in London and other towns. We may find a clue to thread our way through many of the confused phenomena of the time, if we remember that, despite the general depression and decay in town and country alike, the cloth trade, in all its branches, was developing rapidly, and that the English capitalist was conducting in English towns much of the business which had hitherto been done by aliens at fairs[1].

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the progress of cloth manufacture

and of native Englishmen.

113. The violence of the economic changes, which were at work during the last half of the fourteenth century, can be partly indicated from the fashion in which they reacted on

Decay of royal authority on land

[1] The parallel in France is of considerable interest; when commerce began to revive after the Hundred Years' War, it was no longer conducted by Lombards and other aliens at the great fairs, but by native Frenchmen who formed a sort of commercial aristocracy, and it centred in the towns, especially those of the south (Pigeonneau, *Commerce de la France*, II. 339), though there was also much activity in Rouen (*Ib.* 354).

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the constitutional system of the country. It has been pointed out above that during the Norman and Plantagenet reigns, the Crown was of supreme importance as connecting the various parts of the country into one, in controlling the whole, and initiating progress of every kind. This was no longer the case at the beginning of the fifteenth century; though there was a revival of royal influence at its close, under the Yorkists and Tudors. Richard II. seems to have schemed ingeniously, in order to utilise the unrest of the times for his personal advantage; but his effort to obtain absolute power ended in failure. His deposition affected the *prestige* of the crown; while the usurpation of Henry IV., and the weakness of Henry VI., all contributed to lower the importance of the kingly office. A strong monarch like Edward IV. was able to do much to assert himself, but it may be said of him, and of the Tudors, that they appeared strong, because there was no effective resistance; it may be doubted if they had the same influence in controlling the conduct of affairs throughout the realm—so much power to rule—as Edward I. or even as Edward III. And if the Crown was ineffective for internal rule, it was not successful in fulfilling the duty, most recently undertaken,

and sea.

of protecting the realm from enemies on the seas, and in finding a footing for our citizens in foreign parts. English shipping continued to suffer from the attacks of pirates; the English coasts were plundered by ferocious expeditions that recall the days of the Danish invasions; and the terms of the commercial treaties, of which so many were made during this period, show that trade was not a peaceful calling.

Parliament.

While the royal power was thus wanting, it cannot be said that the parliaments were as yet either wise enough or strong enough to provide an effective substitute, or to maintain a good central government. We may perhaps trace in them the new political importance of that class of English moneyed men whose rise has been noticed above. In so far as English merchants, or English towns, were the royal creditors, they had an opportunity of bringing pressure upon the Crown[1]—an opportunity which was constantly used

[1] Stubbs, *Const. Hist.* II. 379.

both under Richard II. and by the Lancastrian parliaments. A.D. 1377—1485. The centre of gravity of power had shifted since the time of Edward I. in accordance with changes in the distribution of wealth. But though the Commons were able to assert themselves effectively as against the Crown, they had neither the wisdom nor the self-restraint that was necessary if the realm was to be well governed. The Lancastrian parliaments furnished important precedents in regard to constitutional procedure, but they were not altogether deserving of respect, and their influence was not such as to provide the country with a really strong central authority.

Decay of local institutions

The lack of effective political control is even more obvious when we turn from the central authority to the local administrative authorities. Their weakness appears to be to some extent the unlooked-for result of Edward I.'s reforms; through his action there had been a growth of national powers, and it was perhaps an inevitable result that local life, industrial and political, should at any rate cease to develope, and as new circumstances arose, should be proved inadequate. Edward I. possibly intended parliament to do little more than supplement the existing institutions, and during his reign it may be that both were doing good work, and that the local courts and chartered towns were conducting their affairs wisely in the comparative peace which was secured them by a strong ruler. But the succeeding reigns tried them severely; the parliament not only supplemented but superseded their powers[1], while the feeble government of Edward II., and the economic difficulties of the time of Edward III., subjected them to a very severe strain. The manorial authority proved powerless to control the social and economic movements which originated with the Black Death. The reign of Richard, with the convulsions that marked it, brings into clear light the darker side of the changes which had been taking place in the previous reigns.

becomes apparent in the time of Richard II.

The Peasants' Revolt in 1381 was the overt expression

[1] The effect of national regulation in superseding the influence of local authorities is seen, not only in rural districts with Justices of the Peace, but in the decay of Craft Gilds in towns. As a modern illustration we may compare how the School Board system has tended to supersede, not merely to supplement, voluntary efforts.

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of the disintegrating influences which were affecting every side of social life; though the outbreak was repressed, there is no reason to believe that the old institutions, which had maintained order and enforced morality, recovered an effective sway. Alike in town and country the foundations of their influence were sapped. The manorial system was doomed at the time of the Black Death, and an agricultural revolution was spreading slowly but surely throughout England; not till the time of the Tudors did it advance so rapidly as to attract the great attention it deserved; but the change in the position of the labourers, which was a concomitant in this revolution, soon came into startling prominence. When Richard II. ascended the throne a large proportion of the English peasant population were serfs; when Henry of Richmond defeated the third Richard, serfdom was fast becoming extinct. Manorial authority was ceasing to have the practical importance which it had once possessed in regard to all the details of village life.

Decay of manorial powers,

Nor did it fare better with the regulation of town industry; many of the towns were over-assessed and sank into decay under the burden of taxation for the war; but even in cases where trade was expanding, just because it was a time of growth, there was a strain on the industrial organisation. It could not readily adapt itself to the new circumstances which had arisen in consequence of this expansion; the management of commerce by Livery and other Companies may have undergone some improvement, but the system of craft gilds, at any rate in London, was beginning to get out of gearing, as we may note with special clearness in the time of Henry VI.

of municipal authority,

of gilds,

The weakness, which is seen in all these civil authorities, also affected the Church on every side. The supply of clergy continued to be insufficient, and the religious houses never really recovered from the devastation caused by the Black Death[1]; from one cause or another the ecclesiastical powers no longer inspired the respect which had once rendered them important factors in the economic life of the realm, and this may be one reason why the condition of secular morality sank

and of ecclesiastical influence.

[1] Gasquet, *The Great Pestilence*. 205

so terribly low as it appears to have done during this period[1]. But in some directions, at any rate, the secular consciousness imposed a stricter rule than ecclesiastical authorities tried to enforce; the laxity of the courts Christian in regard to usury and chevisance is a complaint on the part of city men—who certainly showed no inclination to connive at these malpractices. Nor do the monasteries appear to have been altogether exemplary in providing for the relief of the poor, when they needed an admonition from parliament in regard to this matter. A.D. 1377—1485.

114. The reign of Richard II. may be regarded as a turning-point, because in the course of it this process of decay comes into clear light, but it would be an error to regard this age as destitute of all constructive force. The constitutional changes by which the Commons were able to assert themselves and to establish their claim to take an effective part in the government of the country were of lasting importance; and they were specially noticeable at this juncture, since they mark a turning point in economic policy. We may discover in the legislation of Richard II.'s reign the germs of economic ideas which were destined to have most important results in the subsequent history of the country. The commercial policy which Edward III. had pursued was discredited by failure; and a new scheme began to appear, which maintained itself in its main outlines till the present century. It was a policy of encouraging the native shipping which Edward III. had neglected; it favoured native merchants, and subsequently artisans, in opposition to aliens, and at the possible expense of consumers[2]; there were deliberate attempts to encourage the agricultural interest and especially the corn grower; part of this new scheme was an endeavour to attract the importation of bullion for the accumulation of treasure and not merely with a view to the maintenance of the purity of our coinage. In all these respects the legislation of Richard's Parliaments is very different from that which held sway during the greater part of the reign of Edward III.; but the dust of conflicts between sectional interests, local requirements and personal ambitions

A new departure.

Reversal of old policy

[1] Denton, *Fifteenth Century*, 119.

[2] See pp. 266 and 311 above.

A.D. 1377—1485. *and first signs of mercantile system.*

must have completely obscured the underlying issues at the time. The London Fishmongers were the spokesmen of the shipping interest; but there was frequent agitation against their monopoly of an article of common consumption; and it may be doubted if they were conscious pioneers of a new policy, even though they had an important part in laying the foundations of the Mercantile system. The Navigation Laws, the Corn Laws, and the deliberate manipulating of commerce with a view of procuring bullion were allied in fact, since they were economic expedients which subserved the development of a vigorous national life; but in Richard's time they seem to have been adopted separately to meet pressing practical needs. The agricultural depression consequent on the Black Death gave a sufficient reason for encouraging tillage; the jealousy of aliens—even though they were continental subjects of the Crown—contributed to the passing of the first Navigation Act; and the difficulty of meeting the demands for Papal taxation called attention to the dangers which might accrue from a steady drain of bullion. Each was a separate object, and each appealed specially to a distinct class in the community; it was only gradually that statesmen came to co-ordinate them, and to treat them as parts of a definite economic policy. The keystone which eventually bound them into a 'mercantile system'—the desire of national power—was not altogether awanting in Richard's reign, though it was not so potent as it afterwards became; but we may certainly feel that an age which took a new departure in so many directions, and with such far-reaching results, is not without great constructive importance in the story of English commerce. The history of after times throws a strong reflected light on the maxims of commercial policy which were coming into operation from the time of Richard II.

The classes of society.

115. In looking back, too, we may discern something more than the disintegration of society; there were signs of decay on all sides, but there were also traces of social reconstruction in new forms and on new lines. Mediæval groups were breaking up, but modern distinctions were be-

ginning to appear; and we see indications of the lines of cleavage which are familiar to us in modern times, and which have given us the different classes of our existing society. Feudal society had been an aggregation of local groups, each directly connected with the king as head; the inhabitants of each place had their position and privileges as members of that group, whatever their precise status might be. In Edward III.'s sumptuary laws, however, there is a recognition of classes in the nation at large; and this appears more clearly at the time of the Black Death and in the subsequent 'statutes of labourers,' which attempted to enforce regulations for wage-earners[1] wherever they were found, throughout the whole country. Before Tudor times, the main lines of cleavage of English society had ceased to be perpendicular, into privileged local groups, and had become horizontal, into separate classes, and classes precisely similar to those we have now. Employer and Employed, Landlord and Tenant are seen, with the relations between them reduced to something like the simple cash nexus of modern times; social conditions had become such that the owner of capital could make himself felt as an important power, not only in commerce, but also in regard to the management of land and the organisation of industry. Large capitals were invested in sheep farming, and the wealthier companies and wealthier members of them were the dominant powers in industrial life in London.

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Labourers.

Capitalists.

The recognition of a labouring class in the country generally, and also of a moneyed or capitalist class of native Englishmen is the principal feature in the period on which we are entering[2]. The attempts to define and to regulate the labouring class throughout the realm as a whole, begin at the time of the Black Death. It is not so easy to assign any date for the rise of a capitalist class. We find the names of wealthy individuals and little knots of moneyed men specified all through the fourteenth century. We cannot be surprised that

[1] Those accused of demanding excessive wages were drawn from a large number of callings. Putnam, *op. cit.* 80.

[2] Compare the *Cambridge Modern History*, I. 497, on *Economic Change*.

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a considerable class should have arisen before its close, when we consider the opportunities which were accessible to the enterprise of the English capitalist. The financial crises of the time of Edward III. had laid open to natives a large field for business operations which had previously been carried on by aliens. One after another of the bodies which had formed the moneyed interest in the country had succumbed. The Jews had been expelled by Edward I., the Templars had been broken up in the time of Edward II., and the Florentine Bankers had been ruined by Edward III. The whole of the financial and banking business of the country had been broken up once and again; yet all this time the trade with foreign lands was increasing, and industry was being developed, while money was coming more and more into use in the ordinary life of rural districts, and natural economy was being superseded by a system of cash bargains. The forms and methods of business differed from those to which we are accustomed, but there can be little doubt that during the fourteenth century native Englishmen had new opportunities at every commercial centre of taking a part in financial business.

Positive results.

The reality of this change in social structure must not be ignored, for it had very important results: there is sometimes a temptation to speak as if the halcyon days of English prosperity had been arrested at the death of Edward I., and mere disorganisation subvened till the strong government of the Tudors rendered progress possible once more[1]. But the two centuries which intervened between the time of Edward I. and Henry VII were not wholly barren, and the Tudors did not take up the task where Edward left it. It may be that the soil had rest while the nation was distracted, and that a silent recuperation had taken place unknown and unobserved; in any case the manorial farm of Edward's days would have been a terrible obstacle to the agricultural improvement which was going on under the Tudors and the Stuarts. Whereas commerce had merely been municipal and inter-municipal in Edward I.'s time, it had become national

[1] Denton, *Fifteenth Century*, 65, 124.

and international in Tudor days; while a vast amount of experience as to the possibility of regulating industry, and the best methods of promoting commerce had been acquired. When we see how intimately the great industrial and commercial code of Elizabeth is connected with previous attempts at legislation, we can judge better of the real advance which was made during the long period of depression and transition. A.D. 1377—1399.

II. The Mercantile Class and the Labourers.

116. The first hints of the so-called mercantile scheme of commercial policy and the increasing importance of capital have been spoken of above as the two main elements which attract our attention at this time. It is not fanciful to connect them both with another phenomenon which is noticeable during the reign of Richard II.—the wealth and political importance of the native merchant class[1]. *The merchant class*

It is not a little remarkable that, in spite of the disadvantages of which they complained, the mercantile classes had been growing in wealth and importance during the reign of Edward III.; the ranks of the nobility were even then recruited from among English merchants[2]. We should probably realise the new state of affairs most clearly if we thought of the new men, not so much as merchants, but as capitalists. The progress made by the capitalist class is most clearly shown by their increasing organisation, and the formation and incorporation of companies of merchants, each of which dealt in a particular class of goods. Some account has already been given of the rise of the two most important companies of this type, the Grocers and the Mercers; during the first forty years of their existence the former attained to overweening proportions; they were accused of encroaching on the business of other traders[3], and they had immense influence in the government of the City. They *under Edward III.*

The Grocers' and other Livery Companies.

[1] The deliberate encouragement of a body of London merchants to compete with aliens in the shipping of Wines is seen in the letters patent granted by Edward III. to the Vintners' Company. See below, p. 382.

[2] Bourne, *English Merchants*, 65, 68.

[3] *Rot. Parl.* II. 277.

A.D. 1377—1399. were largely represented among the aldermen[1], and one of them, Nicholas Brembre, seized the mayoralty for a second time by violence in 1385[2]. These companies had emanated from the classes of wholesale dealers and retailers respectively. There is evidence of the growth of a trading class and specialisation by different branches of commerce, not only in the offshoots of the older companies, such as the Apothecaries[3] and Haberdashers[4], but in the new attempts to discriminate between different kinds of trade. In 1363 it was enacted[5] that no merchant should deal in more than one kind of merchandise, and though this measure was repealed in the following year[6], a somewhat similar result was attained by

Vintners. the formation of two new companies, the Vintners and Drapers, in 1364 and 1365 respectively. The charter granted to the former company is of special interest[7], not only because its language affords an early anticipation of many parts of the Mercantile System, but because we see that this company of Winetunners of Gascony was to consist of two classes,—the Vinetarii, who dealt wholesale and were importers, and the Tabernarii, who bought from the importers and retailed the wines; the two branches were analogous to the Grocers and Mercers, as one had to do with the wholesale trade, by tuns and large measures, and the other with retailing by the small measures. The Vintners had exclusive rights of retail as against aliens[8], and were encouraged to compete against aliens in the import trade; for this purpose they were allowed to export cloth and herrings, but only to Gascony as return

Drapers. cargo for imported wine. The Drapers, as they were called in London, corresponded to the Clothiers[9] of the West of England and dealt in cloth; the growing importance of the industry is shown by the establishment of a weekly market

[1] A. B. Beaven in *English Historical Review* (1907), XXII. 523.
[2] Herbert, I. 39. See the Mercers' petition in *Rot. Parl.* (1386).
[3] Offshoot of Grocers.
[4] Offshoot of Mercers who deal in *aver d'acies*. Herbert, II. 533.
[5] 37 Ed. III. c. 5. [6] 38 Ed. III. c. 2.
[7] It is printed in Strype's *Stow*, II. bk. v. p. 194. Compare also Rymer, *Fœdera*, III. i. 742.
[8] But apparently some aliens were members of it.
[9] Herbert, 394.

for the sale of country cloth at Blackwell Hall in 1397[1]. The Fishmongers had a long standing, and were not mere retailers for they were among the chief shipowners on the Thames[2], they were wealthy enough to give considerable assistance to Richard II.; they were strongly hostile to aliens, but there were many complaints of their monopoly of this victualling trade and it was thrown open under the Lancastrians[3]. The attempt to limit each trader to one kind of goods could not be maintained; and we have already, in the case of the Vintners, an indication of a new method of definition, by the local limits to which they might export[4]. A.D. 1377–1399.

The formation of capital in the hands of native Englishmen was evidently going on, and there are indications that men were rising from the ranks of the craft gilds to compete in internal trade. Nicholas Brembre appears to have taken an active part in preventing weavers and tailors from taking up the business of drapers[5], by enforcing the restriction which parliament passed in 1363[6]; this was obviously intended to prevent artisans from encroaching on the business of merchants. *Wealthy artisans.*

We may gather some additional confirmation as to the growing importance of the capitalist class from the changes which were made in the constitution of the City. These were sudden and violent, and it is difficult to understand the objects which rival factions had in view, more especially as the worst rioting by the city mob synchronised with the incursion of peasants from Kent and Essex under Wat Tyler[7]. *Power of the merchants*

[1] *Liv. Company Commission* (1881), xxxix. pt. i. p. 170.

[2] Unwin, *Gilds of London*, 39, 40.

[3] Welsford, *Strength of England*, 156, 162, 174, 179.

[4] According to the view here taken we first have the gild merchant regulating dealing of all kinds within the town (see above, p. 219): next we have craft gilds, regulating the production of a particular class of goods (see above, p. 341); now we have livery companies regulating dealings, especially if not exclusively wholesale dealings, in a particular class of goods in a given city; and later we have the merchant companies, trading in all sorts of goods with particular foreign countries, and within specified limits (see below, p. 416). There are some signs of all these gilds and companies in the history of London, though the existence of a gild merchant in London is doubtful. It is not perhaps quite clear that the twelve great companies have any precise analogue in other English towns; but there were gilds merchant, craft gilds, and merchant companies in many of them.

[5] Herbert, i. 30, n. [6] 37 Ed. III. c. 6.

[7] The reasons for the conduct of Horne and the other traitorous aldermen who facilitated the entry of the men of Kent into London (Réville. *Soulèvement*, 190)

A.D. 1377 —1399. *in London*

The constitution of the City had been settled in the time of Edward II.[1]; but in 1376, when the conduct of Lyons and Peche had caused wide-spread scandal[2], an attempt was made to put the government of the City on a more democratic basis by organising a Common Council to be elected by the misteries[3]. Complaint was subsequently made, however, that the proceedings of the Council were swayed by clamour rather than by reason and the popular powers, both as to the election to the Council[4], and in regard to the election of Aldermen[5] were considerably restricted. Steps were taken to insure that no single company should have a disproportionate share of influence; but the wealthy merchants were able to retain a dominant position in civic politics; and by a custom which continued unbroken for centuries, the important administrative offices were reserved for members of one of the Twelve Great Companies.

and other towns.

The great increase in the wealth of the mercantile class is specially significant, as it occurred at a time when the nobility were greatly impoverished. There had been an extraordinary change in the distribution of wealth, and the moneyed interest began to exercise unwonted political power. The movement was not by any means confined to London, though it is not likely that there were many companies of a purely trading character in provincial towns in the time of Edward III. The formation or reconstitution of great gilds for social and religious purposes in such towns as Wisbech[6], Coventry[7] and Norwich[8] at all events suggests the existence of a class of prosperous dealers; and there is other indirect evidence that the centres of trade were places of very consider-

remain unexplained. The attack on the Savoy is alleged to have been begun by the city mob, and not by the peasants (Oman, *Great Revolt*, 194); and after 'the novices and well-meaning ones had been appeased' (Froissart, c. 138), an attack was made by Walter Attekeye, a brewer, of Wood Street, on the Guildhall, with the view of destroying the 'Jubilee Book' (Réville, *op. cit.* 206).

[1] Noorthouck, *History of London*, 785.

[2] R. R. Sharpe, *Letter Book* H. 38.

[3] The first result of this revolution seems to have been the compiling of the book called Jubilee, which must have contained regulations which bore hardly on the Fishmongers and Brewers. (R. R. Sharpe *Letter Book* H, 11 and note above.)

[4] In 1384 (Sharpe, *op. cit.* 227).

[5] In 1397 (Sharpe, *op. cit.* 436.)

[6] Watson, *Wisbech*, 152.

[7] Mrs Green, *Town Life*, II. 205.

[8] Blomefield, *Norfolk*, II. 731.

able wealth. Like Edward I. and Edward III.[1] Richard II. found it necessary to borrow, either in anticipation of revenue or for the sake of some exceptionally large expenditure; but, while his predecessors had for the most part relied upon foreigners, he was able to draw upon native resources, and he seems to have borrowed chiefly, though not exclusively, from corporate bodies. On one occasion he pledged his jewels with the city of London and obtained £9000; and lists have been preserved of the payments made by different towns in 1382, 1386, and again in 1397. It is not easy to see on what principle the demands were regulated, as it did not apparently depend on any accurate assessment[2]. These loans were exacted both from private persons like the great landowners and from towns as well; an analysis of the list of 1397[3] shows that of the 193 contributors 78 were ecclesiastics who gave sums varying from £1000 to £13. 6*s*. 8*d*., 45 were gentlemen who gave sums varying from £400 to £3. 6*s*. 8*d*., and the remaining 70 payments came from towns[4]. The class of moneyed men were made to bear a large share of the burdens which had hitherto been defrayed by the landed interest only, whether ecclesiastical or lay. To lie out

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A.D. 1376.

Towns as royal creditors.

[1] On his transactions with Richard Lyons, see *Rot. Parl.* II. 324 (17).

[2] Thus Gloucester which paid twice as much as Cambridge in 1397, paid a smaller sum, £54 as against £60, in 1386; default to meet the demand called for a renewed requisition of a proportional payment from every citizen worth £20 in Boston. Rymer, *Fœdera*, VII. 544. No mention occurs of several important places in this list, e.g. Newcastle and Coventry, the latter of which had contributed £320 in 1386. Interesting information as to the special characteristics of each town will be found in a document printed by C. Bonnier, *Eng. Hist. Rev.* XVI. 501.

[3] London, £6666. 13*s*. 4*d*.; Bristol, £800; Norwich, £333. 6*s*. 8*d*.; Boston, £300; Lynn, £266. 13*s*. 4*d*.; York, Gloucester and Salisbury, £200 each; Lincoln, £133. 6*s*. 8*d*.; Southampton, £113. 6*s*. 8*d*.; Bury, £106. 13*s*. 4*d*.; Cambridge, Colchester, Hull, Hereford, Shrewsbury and Winchester, £100 each; Oxford, £80; Abingdon, Canterbury, Chichester, Grantham and Harlaxton, Leicester, Northampton, Nottingham, Sandwich, Stamford, Scarborough, Worcester and Yarmouth, £66. 13*s*. 4*d*. each; Cirencester, £60; Wells, £53. 6*s*. 8*d*.; Beverley, £45; Bedford, Blakeney and Cley, Dover, Ely, Grimsby, Huntingdon, Hadleigh, Horncastle, Ipswich, Louth, Maldon and Sall and Reepham, £40 each; Lymington, £33. 13*s*. 4*d*.; Barnstaple, Barton-on-Humber, Cromer, Ludlow, Pontefract, Sudbury and Thetford, £26. 13*s*. 4*d*. each; Bath, Cawston, Derby, Lavenham, Whitby, Plymouth and Lichfield, £20 each; Beccles, Bildeston, Bodmin, Burton-on-Trent and Lostwithiel, £13. 6*s*. 8*d*. each; Harwich, £10; Braintree and Liskeard, £6. 13*s*. 4*d*. each.

[4] Macpherson, I. 608.

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of their money on the king's behalf[1] was probably much more of a grievance to the merchants than to the landowners.

Shares in assessment.

Even more distinct evidence as to the position of merchants may be gathered from the rate at which they were assessed for the poll tax of 1379. The tax of 1377 had been levied at the rate of 4*d.* per head[2], and the returns of the amounts collected give invaluable information as to the population at that date—a quarter of a century after the Black Death[3]. But the poll tax of 1379 was graduated. The sums levied on the trading classes are as large as those taken from the nobility, if the Dukes of Lancaster and Bretagne and the Archbishop of Canterbury, who were each to contribute £6. 13*s.* 4*d.*, are left out of account. The Lord Mayor of London was to pay £4, like an Earl, Bishop or Mitred Abbot; the London Aldermen and the Mayors of larger towns £2 each, like barons or abbeys with a rental of £200 a year. The mayors and jurators of other towns and the great merchants were to give £1 each, like knights or abbeys with a rental of over £60. The substantial merchants and mayors of small towns were to pay 13*s.* 4*d.*, 10*s.* or 6*s.* 8*d.* according to their estate, like the landed esquires and lesser abbeys; and smaller merchants and artificers were to give 6*s.* 8*d.*, 3*s.* 4*d.*, 2*s.*, 1*s.*, or 6*d.* All seems to show that the trading classes had come to form a very important section of the community for fiscal purposes[4].

The standard of living in the XVth century and in the present day.

117. These lists give an interesting survey of English society, and of the wealth of different classes at the end of the fourteenth century; it is impossible to glance through them without having questions raised in regard to the material well-being of the ordinary Englishman then, as

[1] The lists from which these facts are taken are in the form of letters to the treasurer to offer security for the repayment of the loans to the various parties who had accommodated the king. Rymer, *Fœdera* (original), VII. 341, 543. The loan of 1397 was on the king's personal security. Rymer, VIII. 9.

[2] *Rot. Parl.* II. 364 (19).

[3] The counties of Durham and Chester are not included, but the return gives for the rest of England 1,376,442 lay persons above fourteen years of age. The total population, clerical and lay, including these counties is usually estimated at 2,500,000. Topham, in *Archæologia*, VII. 337.

[4] *Rot. Parl.* III. 57 (13). For the clerical payments see Wilkins, *Concilia*, II. 141.

compared with that of a man in a similar social position in the present day. No attempt will be made here to answer such questions at all precisely, but some suggestions may be thrown out which show the difficulty of solving the problem. A.D. 1377—1399.

In the fifteenth century the mercantile classes had a position of dignity and importance in all English towns; and the house and style, which were maintained by a merchant prince who could entertain royalty, show us the height of material comfort that was attainable by rich men at the time[1]. The visit of Edward IV. to Bristol was the occasion of magnificent pageants in the town, and he was the guest of William Canynges in a house of which fragments still remain[2]. It had been built as a suburban residence about the end of the fourteenth century, and had all the newest improvements; the ground floor was no longer of bare earth but covered with tiles, and the overhanging bay windows of the first floor were completely glazed, probably with richly stained glass. The amount of plate, which a merchant could then display, was of great value, as he invested an extraordinary proportion of his wealth in this form; and the hangings on the wainscot, and the glass would not improbably be better than any that could now be procured. But despite all this magnificence, there was a singular lack of comfort even in the house of a merchant prince[3]. "Few houses, even those of the gentry, could boast of more than two beds for the accommodation of the inmates, and any possessing three or four were considered to be furnished with this article of domestic comfort after a very extraordinary if not extravagant fashion." The sleeping accommodation in the attics of Canynges' house was small and uncomfortable; the principal apartment would have tables on tressels, benches, and window seats, with but little other furniture, and the floors would have mats of plaited straw.

A merchant prince.

A.D. 1461.

Magnificence and lack of comfort.

This picture of the home of a merchant prince is at least suggestive of the conditions under which other men lived, who were so poor that they could afford little or nothing for display; if there was so little comfort in the sumptuous abode of the

Homes of the poor.

[1] Compare the account of the dress, etc., of John Hall, woolstapler, of Salisbury. Duke, *Prolusiones historicae*.

[2] Pryce, *The Canynges Family* (1854), 125. [3] Ibid. 119; Steffen. *op. cit.* 285.

A.D. 1377—1399.

great magnate of Bristol, the homes of the poor must have been most miserable, according to nineteenth century notions. It may be that our life would seem dull and colourless to the fifteenth century burgess; the whole conditions of society have so altered, and the requirements of an ordinary Englishman are so different, that we can hardly get any sound basis for comparing the standard of comfort then and now, and we are forced to fall back on a merely physical test. We may ask how far the social conditions were favourable for the maintenance and prolongation of human life, and whether they were more or less favourable in the fifteenth century than they are now?

Change in ordinary requirements.

The support and prolongation of human life.

Unless the statements of the chroniclers are grossly exaggerated, England suffered severely during the fifteenth century from two scourges which are now entirely unknown —famine and pestilence. The population was dependent on the seasons for the food supply, and though this might be plentiful in good years, there was often a general scarcity which was intensified in particular districts into a local famine. At such times men were driven to use acorns and roots for food[1], and had recourse to the flesh of dogs and horses: some cases of cannibalism are reported[2]. It was only rarely that starving people were reduced to such extremities, but there is some reason to believe that they habitually used diseased and unwholesome food, and that they were thus rendered a ready prey to the ravages of pestilence. The Black Death was specially terrible, but we read of many other visitations, the accounts of which are sufficiently appalling. "A century during which more than twenty outbreaks of plague occurred, and have been recorded by

Famines

and pestilence.

[1] Holinshed, 1439.

[2] In 1314 "notwithstanding the statutes of the last Parliament, the Kings Writtes &c., all things were sold dearer than before, no fleshe coulde be had, Capons and Geese could not be found, Egs were hard to come by, Sheepe died of the rot, Swine were out of the way; a quarter of wheat, beanes and pease were solde for 20 shillings, a quarter of Malte for a marke, a quarter of Salt for 35 shillings." In the next year "Horse flesh was counted great delicates; the poore stole fatte Dogges to eate: some (as it was saide) compelled through famine, in hidde places, did eate the flesh of their owne Children, and some stole others which they devoured. Theeves that were in prisons did plucke in pieces those that were newlie brought amongst them and greedily devoured them half alive." Stow, *Annals.*

the chroniclers, can hardly be regarded by us except as one long unbroken period of pestilence[1]."....."The undrained neglected soil; the shallow stagnant waters which lay upon the surface of the ground, the narrow unhealthy homes of all classes of the people; the filthy neglected streets of the towns; the insufficient and unwholesome food; the abundance of stale fish which was eaten; the scanty variety of the vegetables which were consumed;.....predisposed the agricultural and town population alike to typhoidal diseases and left them little chance of recovery when stricken down with pestilence[2]." It is thus that Mr Denton sums up the normal conditions of life in the fifteenth century[3]. A.D. 1377 —1399.

It may however be argued that this picture is too highly coloured, that he has attached too much importance to the exaggerated statements of ill-informed chroniclers, and that the famines were only local, and the pestilences only occasional[4] and due to climatic conditions rather than induced by the habits of life. We may approach the problem from the other side and try to form some estimate as to the means at the command of the ordinary labourer for procuring the necessaries of life. He could not of course secure a greater degree of comfort than the merchant prince, but how far could he count on obtaining an adequate share of the supplies that were available? What were the means at his disposal? for even though food were plentiful and cheap, the labourer might suffer real privation, if he was too poor to purchase corn[5]. The means at his disposal would depend partly on the rates of wages and partly on the constancy of employment. *The means at the labourer's disposal.*

It is probably true that when the daily labourer was engaged on a long-continued piece of work, and could count *Rates of wages.*

[1] Denton, 105. [2] Ibid. 103.

[3] Compare also Rogers (*Fort. Rev.* III. 193) and Jessopp (*Friars*, 89), who are both speaking of the fourteenth century.

[4] The evidence is discussed in considerable detail by Dr Creighton, *History of Epidemics*, I. 225. He shows good reason for supposing that the prevalence of leprosy, which was alluded to in the second edition of this book (p. 347), has been generally exaggerated (chapter ii).

[5] During a recent famine in India, when the export of rice from Bengal continued, it was said that there was sufficient food if the people could have had it conveyed to them and purchased it, and that they suffered from poverty rather than scarcity.

A.D. 1377—1399.

on constant employment, he fared well; the statutable wages were not low as compared with rates that had been formerly paid, and Professor Thorold Rogers maintains that the sums actually paid were sometimes in excess of the limits laid down by parliament. This might seem to show that there was a great demand for labour; but there is also evidence that employment was irregular. "The custom of hiring labour by the day is more general during the sixteenth and seventeenth centuries than it was in the thirteenth and fourteenth, mainly because the practice of cultivating lands was abandoned by the great landowners and wealthy corporations, and the labour which they hired was occasional and casual[1]." A comparison of the salaries of servants engaged by the year, with the wages of day labourers, makes it probable that day wages were comparatively high, because employment was so irregular that the labourers could not live unless they were well paid for any work they got to do; but no accurate conclusion can be drawn, as those who had yearly salaries may not improbably have been indoor servants. Still it seems unlikely that, even if they could eke out a living from the common waste, the daily wage earners of the fifteenth century had a larger free income than the agricultural labourer of the present day; we could not institute an accurate comparison unless we knew not only the prices of the articles they used, but also the quality of the goods they were able to procure. It is not easy to obtain such information in the present day, and we cannot hope to get sufficient data for judging about the distant past. We can, however, as Prof. Nicholson has shown[2], find illuminating facts both as to the condition of particular classes and the progress of society by a careful study of the changes in the relative prices of certain commodities in common use.

Irregularity of employment.

Holidays and

On another side, however, the question seems simpler, as to the amount of free time at the labourer's disposal. The holidays were frequent, and those who were paid yearly salaries would have the advantage of them; they were care-

[1] *Agriculture and Prices*, IV. 493.

[2] *Principles of Political Economy*, III. 65—99.

fully taken into account in reckoning the payments that were due for *opera vendita*[1]; but the day labourer would only find that they reduced his opportunities of finding employment and therefore of earning. His free time must be reckoned, not by the periods of enforced idleness, but by the leisure he could count on when fully employed. In so far as regularity of employment and short hours are a test of the well-being of the workman, the fifteenth century day labourer was badly off; his summer hours lasted from five in the morning till half-past seven at night, with breaks which amounted to two hours or two hours and a half[2] in all. A.D 1377 —1399. *hours of labour.*

On the whole it appears that, even if we altogether forego the attempt to measure how much one or the other was better off, the balance of advantage lies with the modern rural labourer. In all probability his employment is less irregular, and his hours are shorter; he enjoys practical immunity from famine and pestilence, and he is far less exposed to attack from 'enemies,' or to violence from unruly retinues[3]. The French Wars and the Wars of the Roses led to a terrible amount of disturbance and crime, and we may be certain that whatever disasters occurred,—whether pillage or famine or pestilence,—the poor were least able to resist its effects and suffered most from it. Taking one consideration with another we may feel that the lot of the labourer did not render his life a good one from an insurance point of view. *Improved condition of the modern labourer.*

It might indeed have been supposed that these evils were so far common to all classes of society, that the labourer might be satisfied with his condition, since he could not hope for any great improvement. The distinction between rich and poor was marked by all the externals of rank, but it *Misery and discontent.*

[1] Compotus Roll of Wilsford in Hampshire, 1447. British Museum, Additional Charters, 27,679.

[2] The long hours of which Ælfric's ploughman complained—who had to plough an acre or more in the day—would not greatly differ from those insisted on in the Act of 1495.

[3] This was no new evil, for it was a grievance in the time of Edward I., both in rural districts (Song on the Retinues of Great People in Wright's *Political Songs*, Camden Society, 237) and in towns. Licence was required by the Bishop of Durham while attending parliament before he could venture to quarter his retainers at Stratford at Bow (Rymer, *Fœdera*, IV. 143). From the time of Richard II. (13 R. II. st. III.) there was frequent legislation against the practice till the reign of Henry VII., under whom it was practically suppressed.

A.D. 1377 —1399.

was not such a wide gulf as separates the East and West of London in the present day. Though all classes were so much more nearly on a level, so far as the material conditions of well-being were concerned, there is ample evidence that the labourer was not so comfortable as to be contented with his lot; the records of frequent riots and constant crime show only too clearly that the masses of the population were not only poor, but also miserable; their political importance came out chiefly in antagonism to the existing order. The attempt to widen the basis of taxation and to force wage-earners and peasants to contribute directly[1] to the revenue was the signal for the great revolt of 1381.

Political influence of merchants.

118. Changes in the relative distribution of wealth as between landed proprietors and the capitalist classes seem to be reflected in the new powers which merchants possessed for influencing the policy of the realm. A body of men, who contributed to the royal necessities as largely as the citizens of London did, had really a direct means of putting pressure on the king; the towns from which the king borrowed had a more immediate means of making their wishes felt than through the agency of petitions in parliament, where the landed interest might not always support them. This is possibly the reason why the objects they had at heart were secured to them by charter, at a time when the statutes were framed on different lines; but before the end of the reign of Richard II. statutory force was given to some of the principles of trade-management for which the London merchants had been steadily contending.

Mercantile policy.

Restrictions on aliens.

i. The chief point for which they pressed was a limitation of the freedom of aliens, especially their freedom to compete with Englishmen in internal trade, and to sell by retail. The deeply rooted objection to the upland man, which shows itself in the earliest municipal laws, appears here in a later form; men who bore the burdens of the town had a right to the gains which came from its trade. The men of London put their case very strongly in 1372, when they urged that

[1] The poll tax offered the means of procuring revenue by a much less cumbrous machinery than was required to collect the fines incurred by offenders against the Statutes of Labourers. Dictumque fuit ibidem quod pecunia regni fuerat in manibus opificum et laborantium. *Eulogium Historiarum*, R. S. III. 345.

they could not meet the royal demands if their ancient charters were infringed by the privileges newly granted to aliens[1]. They took a very early opportunity of bringing their grievances before Richard II., who reaffirmed their ancient privileges, but in doing so he made a further exception in favour of his subjects in Aquitaine[2]. This indulgence appears to have been withdrawn by the statute of 1378, which forbids the aliens to sell wine or other imported merchandise by retail in London or other towns, though it gave them considerable freedom at fairs for selling by retail and selling to one another[3]. Subsequently the privileges of aliens were affirmed by statute[4], and the charters of boroughs set aside in their favour[5]; but in the end the citizens were too strong for them, and carried a measure after their own heart[6], for it prohibited aliens from selling to one another and from selling by retail. The statutes[7] which had favoured aliens were set aside and it was enacted that "no merchant stranger alien shall sell, nor buy nor merchandise within the realm with another strange merchant alien, to sell again; nor that no strange merchant alien shall sell to retail within the said realm, nor shall put to sale any manner of wares or merchandises, except livings and victuals, and also that aliens shall sell wines by whole vessels, and spicery by whole vessels and bales, and in no other manner; and that no manner of spicery, after that it be brought within the realm, shall be carried out of the same realm by alien or denizen upon pain of forfeiture of the same." It may be said that this measure marks a stage in this long struggle with foreigners: contests with foreign merchants in the fifteenth century have a different character, for Englishmen were beginning to compete with them in that foreign trade and carrying trade in which they were eventually to succeed so well. What they had accomplished so far was that they secured the retail trade and the internal trade of England for Englishmen.

A.D. 1377–1399.

A.D. 1377.

A.D. 1387.

A.D. 1392.

Internal and retail trade.

[1] *Rot. Parl.* II. 314 (46). [2] *Rot. Parl.* III. 27 (127). [3] 2 R. II. st. I. c. 1.
[4] 5 R. II. st. II. c. 1; 14 R. II. c. 9. [5] 11 R. II. c. 7.
[6] 16 R. II. c. 1. On the political influences which brought about these changes of policy compare Welsford, *Strength of England*, 145, 158.
[7] 9 Ed. III. st. I. c. 1; 25 Ed. III. st. III. c. 2; 11 R. II. c. 7.

A.D. 1377—1399. *English shipping.*

ii. They were not satisfied with the victory however, for they were anxious to obtain a firm footing in foreign trade as well, and demanded that encouragement should be given to English shipping. The policy of Edward III. had told against the English shipper; though the statutes which gave commerce over to his alien subjects were not strictly enforced, for the London Vintners got their charter in 1364, and Englishmen continued to frequent the marts at Bruges[1], and obtained indemnity for the severe penalties to which they had rendered themselves liable[2]. The commercial restrictions, though they hampered, did not entirely destroy English shipping; but there were other causes which led to its decline. The owners and crews of ships requisitioned for

A.D. 1372. war were put to great expense and inconvenience[3], and they suffered by the enforcement of forfeiture[4] for trivial breaches of custom regulations; and the decrease of the navy appeared to be a public danger[5]. This feeling found expression in the first Navigation Act[6], which is of a very sweeping character.

A.D. 1381. "To increase the navy of England which is now greatly diminished, it is assented and accorded, that none of the king's liege people do from henceforth ship any merchandise in going out or coming within the realm of England, in any port, but only in ships of the king's liegance," under penalty of forfeiture of goods shipped in other vessels, the third part of which were to go to the informer. Apparently, however, the navy was so far minished that the statute could not be enforced; and an explanatory clause was added in the following year to the effect that English ships when "able and sufficient" should be preferred "before all other ships[7]."

A.D. 1390. A further condition was annexed[8] some years later, from which it appears that the shipowners had taken advantage of their monopoly to charge exorbitant rates, instead of being satisfied with "reasonable gains."

Money and bullion. A.D. 1376.

iii. There was a third point in the great statement of the grievance of the towns which was made in the Good

[1] *Rot. Stapul.* See *Appendix C.*
[2] *Rot. Parl.* II. 314 (47).
[3] *Rot. Parl.* II. 311 (20).
[4] Ibid. III. 94 (33); 38 Ed. III. I. c. 8. See p. 414 below.
[5] Ibid. II. 314 (46).
[6] 5 R. II. st. I. c. 3.
[7] 6 R. II. st. I. c. 8.
[8] 14 R. II. c. 6.

Parliament; it was mentioned in connection with the encouragement of aliens and the decay of shipping. Men said that the land was without money[1], and this last point received consideration from the parliaments of Richard II. "For the great mischief which the realm suffereth, and long hath done, for that gold and silver as well in money, vessel, plate and jewels as otherwise by exchanges made in diverse manners is carried out of the realm, so that in effect there is none thereof left, which thing if it should longer be suffered would shortly be for the destruction of the same realm, which God prohibit[2]," it was ordered that no one should export gold or silver except for the wages of Calais and other fortresses beyond the sea. Necessary payments were to be made with royal licence, and through the agency of good and sufficient merchants, who were to be sworn not to send any gold or silver beyond the sea under colour of the said exchange; the debt was to be liquidated in the last resort by the export of goods, not of bullion. By a later statute this was explicitly ordained with respect to payments made to Rome; it is possible that a decline of the Florentine exports of wool rendered intervention of this kind more necessary than before[3]. An interesting commentary on the whole is found in the record of the information on which it appears that the statute was based[4]. The Warden and other officers of the Mint were summoned to give evidence as to the reasons of the scarcity of coinage. The large sums paid to Rome, and the export of money in the course of exchange were the chief points they spoke of; some laid greater stress than others on prohibition of the export of bullion, but one of the officers, Richard Aylesbury, stated his opinion in terms which appear to anticipate the doctrine of the balance of trade. Since neither gold nor silver is to be had in England unless it is imported from abroad, he considered that if the merchandise which goes out of England were well and justly governed, the money that is in England would remain, and great plenty of money would come from

A.D. 1377–1399.

A.D. 1381.

A.D. 1390.

Balance of trade.

[1] *Rot. Parl.* II. 332 (59).

[2] 5 R. II. st. 1. c. 2.

[3] See p. 433, below. Compare also 14 R. II. c. 2.

[4] *Rot. Parl.* III. 126, 1 and 2.

A.D. 1377 —1399. abroad; the value of imports should never exceed the value of exports. Parliament went so far as to pass a statute of 'employment' by which they insisted that half the value of the imports of aliens should be expended on English exports[1].

Edward III. had also legislated with reference to the currency and in terms that are somewhat similar to those quoted above[2], but none the less may this enquiry, and the A.D. 1335. statute which resulted from it, be taken as marking an important point of departure. The reference to the "destruction of the realm" suggests at any rate the importance *Treasure.* of accumulating treasure for political purposes, and not merely as a circulating medium; of this there is no hint in Edward's statute. Besides this, the attempt to regulate the expendi- A.D. 1361. ture of merchants was a distinct addition to his regulations. The permission Edward made in favour of fishermen coming in small ships with fish, and who might be paid in gold and silver since they did not "meddle in other merchandise[3]," shows that the rule at which he aimed was an exchange of goods for goods[4]; but there is no evidence that he attached so much importance to it, or saw its bearing in the same light as the parliaments of Richard II.

The Peasants' revolt. 119. These grievances in connection with the commerce of the country will help to account for much of the unrest which characterised the time of Richard II., but we must look a little more closely in order to understand the reasons for the violent and widespread revolutionary movement which A.D. 1381. occurred in 1381. The peasants had many sympathisers in other classes of the community, and the irritation caused by the enforcement of the Statute of Labourers would be felt in any area where capitalism had come into vogue and there were clearly marked classes of employers and employed[5]: this

[1] 14 R. II. c. 1. Parliament adopted a bullionist expedient, while Richard Aylesbury appears to have been a mercantilist,—to adopt terms which were in vogue in the seventeenth century.

[2] 9 Ed. III. st. II. c. 1.

[3] 38 Ed. III. st. I. c. 2. The mercantilists of the Stuart time would have condemned with all the force of language they could command, a proposal to leave fishing—the school of seamanship—in the hand of foreigners and to pay them in bullion for doing it.

[4] And this is clear from the Vintners' charter of the same date.

[5] Compare the commission to the Keepers of the Peace at Beverley. Réville, *Soulèvement*, 268, No. 164.

was the case in London, and probably in the clothing country of Norfolk. But in rural districts generally there was no wealthy capitalist class such as existed in the towns; the men who had been wealthy were now on the verge of ruin[1]; the old system of land management which rested on mutual personal obligations, discharged in kind, had become impracticable; and great difficulties arose in connection with the introduction of the cash nexus, pure and simple, into rural life. This was what the villains preferred; and the commutation of labour-services for money payments which was gradually taking place[2] went on rapidly[3] in the period after the Black Death when larger amounts of circulating mediums were available[4]; but when the landowners began to reorganise estate management in accordance with the new conditions, they adopted expedients which afforded less scope for employment, and there must have been increased difficulty in maintaining even the diminished population. In cases where labour could not be procured, or additional land was thrown on the lord's hands through the deaths of the tenants, the lord might be almost compelled to take to sheep farming[5],

A.D. 1377 —1399. *The landlords were greatly impoverished*

and were forced to take to sheep farming or to let their land on lease.

[1] Come par les Pestilences et grantz ventz sont diverses meschiefs et merveillouses avenuz, diverses Manoirs, Terres et Tenementz de notre Seignour le Roi, tenuz en chief, auxi bien come autres, sont touz desolatz, gastez et anientez: si bien les Homages et Bondages come les chiefs Manoirs et tieux Tenantz de Bondage come feurent devant ne poent ore estre trovez. Et pur les dites Meschiefs eschuire, et pur avoir ascun profit des dites Terres et Wastes, les Seignours des dites ruinouses places les lessent, toute ou partie, a terme de vie pur les enhabiter, q'est survys et accomptez Alienation saunz congie du Roi; lesqueux Lessez ne poent estre Alienations la ou nostre Seignour le Roi ad Tenantz en droit. *Rot. Parl.* II. 279 (33).

[2] Herdsmen at wages were a part of the establishment of some manors, where other services were uncommuted (Maitland, *History of Cambridgeshire Manors* in *English Historical Review*, IX. 417). Hired labourers with the lord's own oxen seems to have often been preferable for ploughing to the enforced labour of the villains and their oxen. Trevelyan, *Age of Wycliffe*, 186; Ashley, *Economic History*, I. i. 32; Page, *Frohndienste*, 22.

[3] Page, *End of Villainage*, 57. Professor Thorold Rogers greatly antedates the time when services had been commuted in the country generally (*Six Centuries*, I. 44, 253); he even asserts that in 1381 "no memory went back to the older custom" (*Economic Interpretation*, 29). This has led him to argue that the fundamental grievance was an attempt on the part of the lords to re-introduce predial service (*Six Centuries*, 218). Mr Page's researches have rendered this view untenable.

[4] Page, *Frohndienste*, 22; Trevelyan, *Age of Wycliffe*, 186; Ashley, *Econ. Hist.* I. 32.

[5] Davenport, *Norfolk Manor*, 50, 80; Cullum, *Hawsted*, 217. See p. 448 below.

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but this was quite likely to bring him into conflict with the surviving tenantry[1]. Another expedient was for the lord to let his land either for arable purposes or for sheep. The stock-and-land lease was a convenient agreement during the latter half of the fourteenth century[2], but instances occurred both earlier and later[3]. The new tenant took the land and the stock off the lord's hands and made in return a definite annual payment. Gradually, and possibly by mere lapse of time as the stock died off, it was replaced by the tenant, not the lord; and we thus have early examples of the ordinary system of English tenant farming, in which the capital is supplied by the tenant, who pays a definite rent to the landlord for farm and buildings. The yeoman farmers, or tenant farmers, as we may call them, may have mostly sprung from the class of labourers who had no holdings, and were under no obligations to do predial service[4], but some of the bondmen were able to take land on new terms.

With the introduction of the cash nexus the

The grievances of the villains in 1381 were primarily social; to some extent they might perhaps be described as sentimental; though they also involved serious hardships. In the lack of detailed evidence as to the precise nature of the economic element in their revolt against the existing order[5], we may borrow some light by considering the agrarian difficulties which came into prominence in Tudor times, and by arguing retrospectively to the earlier stages of the movement for enclosing[6]. It is also very instructive to examine the analogies suggested by economic changes that are going on in Russia at the present time in consequence of the freeing of the serfs.

[1] See p. 526 below. There are complaints of repeated trespass of peasants and their cattle on the lord's pasturage. *Court Roll*, Stapleford, January 1382. British Museum, Add. Charters, 28792.

[2] Thorold Rogers, *Agriculture and Prices*, I. 24.

[3] Hall, *Formula Book*, II. 19, No. 13. See also *Appendix B*, p. 586 below.

[4] Mr Page points out that the services exacted from the new essarts were comparatively light, and that as soon as all the waste land of the village was allotted in holdings, an increase of villain population would mean the growth of a class of villain status, who had no predial obligations because they had no land. *Die Umwandlung der Frohndienste in Geldrente*, 20.

[5] There is an interesting statement in 1 R. II. c. 6.

[6] See below, p. 528.

Sir D. Mackenzie Wallace points out that in "the time of serfage an estate formed, from an economic point of view, a co-operative agricultural association under a manager who possessed unlimited authority and sometimes abused it, but who was generally worldly wise enough to understand that the prosperity of the whole required the prosperity of the component parts." A "communal equality" had been artificially maintained; but in consequence of recent changes "the strong compact whole fell into a heap of mutually independent units with separate and often mutually hostile interests.....The restrictions on individual freedom have been removed, the struggle for life has become intensified, and as always happens in such circumstances, the strong men go up in the world while the weak ones go to the wall. All over the country we find on the one hand the beginning of a village aristocracy,—or perhaps we should call it a plutocracy, for it is based on money,—and on the other hand an ever increasing pauperism. Some peasants possess capital with which they buy land outside of the Commune, or embark in trade, while others have to sell their live stock, and have sometimes to cede to neighbours their share of the communal property. This change in rural life is so often referred to that a new word *differentsiatsia* (differentiation) has been invented[1]." A.D. 1377 —1399. *distinction between prosperous and poor peasants became more marked*

In England the economic changes consequent on the introduction of the cash nexus would be similar, with the great difference that in England in 1381 the serf had not become free, and was therefore not able to better his position by migrating or seeking other employment as the Russian peasants habitually do. The sudden introduction of the cash nexus in consequence of the labourers' demands could not but give rise to a great deal of mutual recrimination between different classes of the community. The personal ties between rich and poor were sometimes softened by kindly sentiment and timely assistance; this seems to have survived in the case of some of the monasteries till Tudor times[2], but the cash nexus would strain it considerably; and there is

[1] *Russia*, 200. [2] See p. 528 below. Compare also Wallace, *op. cit.* II. 198.

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much complaint in Wycliffe[1] and *Piers Plowman*[2] of the harshness of the landed classes. The breaking down of habitual practice and introduction of new conditions almost necessarily roused a spirit of enquiry as to the grounds on which the authority of the manorial lords rested. What justice was there in the exclusive claims of the lord to the game on land, where the villains had common rights[3]? What right had the lord to prevent one of his tenants from trying to better himself by taking service in a town? The economic grievances in rural districts, and such incidental annoyances as the obligation to use the lord's mill[4], or the interfering with a right of way[5], were the occasions of a discontent which found expression in attacks on the foundations of society. The villains of 1381 were not communistic, but they were in a sense anarchists, since they regarded the whole social system, defined by legal documents, as unjust, and as something that ought to be swept away[6]. Hence the assaults on muniment rooms[7], and on the Temple[8] as the home of the legal profession become sufficiently intelligible; while the manner in which the tenants of St Albans[9] were satisfied over the question of game, and the men of Kent and Essex

and the rights of manorial lords were called in question.

[1] "Lords strive with their tenants to bring them in thraldom, more than they should by reason and charity." Wycliffe, *English Works*, E. E. T. S. 234.

[2] Langland, *Piers Plowman*, VI. 89.

[3] Knighton, R. S. 137.

[4] The villains on breaking into S. Albans abbey at once took possession of the handmills which the abbots had confiscated. *Gesta Abbatum S. Albani*, III. pp. 309, 329, 346. This popular feeling gave additional point to the address of Jakke Mylner, where the state is compared to a windmill. Knyghton, 1381. Compare also Sir Walter Scott's description of the Miller of Melrose and his anxieties, in the *Monastery*, c. 13. In 1737 there was much dissatisfaction at Manchester, because the millers of Manchester insisted that all the inhabitants should grind at their mills "tho' they were not able to serve half the town." See the epigram in the *Gentleman's Magazine*, 1737 (VII. p. 307).

But the particular grievances that seemed most oppressive differed in different places: at Cambridge the townsmen rose against the University, and first attacked Corpus Christi College, "because that college was endowed with many candle rents, so that a sixth part of the town is said at that time to belong thereunto." Fuller, *Hist. Univ. Camb.* p. 53.

[5] J. Ross, *Historia Regum Angliae*, p. 126.

[6] The sentiments which Shakespeare puts into the mouth of Jack Cade are more appropriate to the rising under Tyler and Ball. *Henry VI*, Part II. Act IV. Sc. 2.

[7] Walsingham, *Hist. Angl.* I. 455. The revolt has thus a family likeness to the great revolution in France. Maine, *Fortnightly Review*, XXI. N. S. p. 462.

[8] Oman, *op. cit.* 58.

[9] Réville, *op. cit.* 35, 45.

when personal freedom was conceded[1], goes to show what it was that they felt to be oppressive. A.D. 1377–1399.

The 'differentiation' of which we read in Russia was a marked feature of English rural life in Tudor times[2]; and it had begun to show itself in Norfolk[3] within a generation after the Black Death. The new class of yeomen farmers were probably going up in the world[4]; while on the other hand there is no reason to suppose that there had been any improvement in the lot of the peasants who had not secured additional land, if indeed they had not gone from bad to worse. The subdivision of land seems to have proceeded very far before the Black Death[5], and there appears to have been a considerable class of landless villains. The villain-holdings, when worked on the old methods, would in many cases hardly suffice to maintain a family except on the verge of starvation[6]. The villains who carried on a collective husbandry on the old system might not find it easy to market their produce and obtain money to pay their quit rents[7], and they could in all probability make little profitable use of the additional time they had at their disposal. All the conditions were present which would give rise to 'land hunger'; and although we do not find it specially mentioned, we cannot infer from the silence that it did not exist. There would be a difficulty in formulating

The revolt was mainly due to agrarian discontent,

[1] See above, p. 383.

[2] See p. 528 below.

[3] Davenport, *Norfolk Manor*, 53.

[4] There seems to have been an active market for holdings at the close of the fourteenth century. Petruskevsky, *Vozstaine Uota Tailera*, II. 201. In the latter part of the fifteenth century tenants were sometimes able to purchase the farms they worked. Johnson, *Disappearance of small Landowner*, 37. Compare also Sir T. Smith, *Commonwealth*, Bk. iii. c. 10.

[5] Kovalevsky, *op. cit.* III. 70; Neilson, *Ramsey Abbey*, 49; Davenport, *op. cit.* 19. It seems that in Tudor times 20 acres was regarded as the minimum on which a husbandman could live and thrive, as no effort was made to maintain smaller holdings as separate tenancies. 4 H. VII. c. 19. 2 and 3 P. and M. c. 2.

[6] The poverty of the peasant proprietor in France is a matter of common remark, and is said to be due to the tiny holdings from which they can only obtain the barest subsistence by hard work. M. de Foville, who defends the system in France at present, points out that under existing conditions there are re-adjustments which prevent excessive subdivision from being permanent but the English serf had no such freedom to deal with his land as the French peasant enjoys. (*Morcellement*, 199.)

[7] The same difficulty would arise about paying their quota of taxation under the Poll Tax. It is noticeable in Russia how closely the arrears of taxation reflect the poverty of the serf in any district. Wallace, *op. cit.* II. 204.

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this grievance, and in seeing whether to lay the blame on the landlord or on the new class of tenants[1]. There was apparently a feeling, as subsequently in the Chartist times[2], that if the matter of political status could be put right, economic grievances would be easily remedied. The very improvement in the condition of those who had land on lease would be an additional irritation to villains in hopeless poverty, who saw no means of bettering their position[3].

but it was occasioned by the Poll Tax

The imposition of the Poll Tax was the incident which caused this widespread irritation to break out in open revolt; and in this respect its importance can hardly be exaggerated, for this exaction affected the poorer population of town and country alike, and thus rendered the revolt both widespread and formidable. The economic and social difficulties might have worked themselves out separately and locally, but the new demands raised political questions as to the government of the realm as a whole. Other classes than the peasantry were eager that action should be taken, and a widespread organisation gave solidarity to the movement for political reform. Wat Tyler and his followers attributed the misgovernment of the realm to John of Gaunt, and he was by no means popular in the city. The finances of the realm seemed to be in hopeless disorder; the yield of the last parliamentary grant had been small, and had come in slowly; the Crown jewels were in pawn and the English garrisons in France had arrears of pay due to them[4] for more than a year. Parliament therefore voted a poll tax, as a means of raising a large sum immediately. Everyone over the age of fifteen years was to pay; but this seems to be assessed as a graduated tax on the value of every man's goods, though no one was to pay more than sixty groats and no one less than half a groat[5]. The

[1] Hayward's account of rural discontent under Edward VI. is illustrative, "Some would have no justices, some no gentlemen, some no lawyers nor ordinary courts of justice; and above all Inclosures must be put down, but whether all, or which, none could tell, every man regarding what he followed, not what might follow thereof." Kennett's *Complete History*, II. 293.

[2] See below, vol. II. p. 736.

[3] In Russia, the serfs are able to make a good deal of money by obtaining occasional employment in the towns (Wallace, *op. cit.* I. 186, II. 213), but the English serfs were prevented from doing this.

[4] Dowell, *History of Taxation*, I. 97.

[5] *Rot. Parl.* III. 90 (13). The grant contains a phrase, to which Dowell refers (*History of Taxation*, I. 99), as showing that the tax was modelled on a French

form of the levy, which involved an inquisitorial investigation into every person's property by officers who did not always execute their difficult duty with delicacy, was enough in itself to render it unpopular, and this was the occasion which brought the separate and local discontents into a single focus and united different classes in a common rising. A.D. 1377–1399.

This political discontent reacted on the agrarian agitation by raising a new point,—as to the value of the contributions made by landed proprietors of different kinds to the good of the realm. Knights and men at arms were ready to defend the realm and serve the king in foreign parts; but the question as to the nature of the contribution made by monastic establishments to the good of the realm was not so easy to answer. Wycliffe formulated what must have been a very widely spread feeling in his writings on the possessions of the clergy[1]. There had long been a feeling that the ecclesiastics did not pay a sufficient share of taxation even in money; and it need be no matter of surprise that this should have taken hold of the popular imagination, and that the possessions of the monasteries should have been a special object of attack. It almost seems that if Richard II. had anticipated Henry VIII. the dissolution might have proceeded on a wave of popular approval. The sympathy with which the peasants met in unexpected quarters was doubtless due to a recognition of the fact, on which they insisted, that they were not thieves and robbers but zealous for truth and justice[2]. The destruction of traitors, the abolition of places of luxury or useless idleness, and the freeing of prisoners condemned for offences against unequal laws, seemed to them

and was mainly directed against the monasteries.

impost: per issint qe les fortes feussent constreintz daider les feobles. But the tax granted by the assembly at Paris in 1369 was a hearth tax, not a poll tax, and the phrase 'le fort portant le faible' in their grant refers to the fact that fortified towns were taxed four francs, and unfortified towns or places in the open country only 1½. Clamageran, *Histoire de l'impôt*, I. 391. It seems to be a common mediaeval phrase for 'equality of taxation'; the different application in France and England gives some instructive light on the respective condition of the two countries; in England unfortified places were not so insecure that they had to have special rates when taxes were levied.

[1] *English Works*, E. E. T. S. 117, 139.

[2] Knyghton, R. S. 135.

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to be the first steps in the regeneration of society. So far as they had a positive political programme it was apparently the establishment of a free peasant proprietory, to be governed by the king as monarch[1], without the intervention of the knights and nobles, whom they regarded as oppressors.

There were successive outbreaks in Kent, Essex, Cambridgeshire, Hertfordshire, Norfolk and other counties, and much light has recently been thrown upon these from new sources of information[2]. The most violent proceedings were in London, where the combined mobs from the rural districts and from the City itself were for a time masters of London[3] and wreaked their vengeance on the persons of the Archbishop of Canterbury and Richard Lyons, while they also destroyed the property of John of Gaunt. But their triumph was very brief and they were unable to use it so as to secure permanent advantage; the manumissions were retracted[4] the peasantry were exposed to ruthless punishment at the hands of the Bishop of Norwich. The legal system, which they had defied, reasserted its power and long accounts remain of judicial proceedings, while new repressive statutes were passed.

The peasants found support from wage earners in the towns

So far as regards the political and social objects which the villains had in view, they entirely failed to carry out any constructive policy; and the law givers of the next reign looked back on them as merely subversive of order of every kind, and condemned the Christian Socialism of the Lollards as a mischievous doctrine[5]. The rebellion had also been an

but the revolt ended in complete failure.

[1] There is a close analogy between the English Revolt and that of the German peasants, especially in the desire of both for a political absolutism. See Roscher, *Geschichte der Nat. Oek.* 79; and compare the assertions of the peasants that they were loyal to the king. The Russian empire is probably a closer approximation to their ideal than anything that exists elsewhere in the world.

[2] Réville, *Le Soulèvement des Travailleurs d'Angleterre*; Powell, *The Rising in East Anglia in* 1381; Trevelyan and Powell, *The Peasant Rising and the Lollards*; also the *Anomial Chronicle* printed by Trevelyan in *Eng. Hist. Rev.* XIII. 509, and translated by Prof. Oman (*Great Revolt*, 186).

[3] See p. 383 above.

[4] 5 R. II. st. i. c. 6, also c. 8; and 6 R. II. st. i. c. 4. Compare also Rymer, *Fœdera* (Record), IV. 126.

[5] 2 Henry V. c. 7. Trevelyan (*Age of Wycliffe*, 199) defines Wycliffe's personal position clearly. Compare also Kovalevsky, *op. cit.* IV. 288.

effort to get rid of the stigma of serfdom and to secure the status of freedom for all the peasantry, and in this aspect also it proved to be a failure[1]. It is also clear that they did not obtain any great economic advantage, for they only escaped from the obligation to pay predial service by degrees[2]. In every respect the rebellion failed; but the slow agricultural revolution, which rendered their services less useful to the manorial lords, gradually set the villains free by removing the interest their masters had in retaining a hold upon them. A.D. 1377–1399.

120. The disorganisation in rural districts seemed to be a serious danger to the realm; on the one hand there was the risk attendant on a decline of population, and on the other there seemed to be doubt about the maintenance of a sufficient food supply. The remedy for both evils seemed to lie in the encouragement of arable farming, but great difficulties lay in the way. These are described in the preamble of the statute of 1388[3]. This measure attempts to enforce remedies by fixing the wages for different classes of labourers and ordaining penalties for those who paid more than the regulation rates, while it also lays down that artificers, their servants and apprentices, should be "compelled to serve in harvest, to cut, gather and bring in the corn." *Serious difficulties* A.D. 1388

This statute plainly recognises the new condition of affairs where tenants were the principal employers of labour; the grievance was felt by them, and only indirectly by the manorial lords as it touched their rents. Subsequent clauses throw considerable light on the social condition of the country; though wages were comparatively high, the lot of a rural labourer was not attractive, and a *of leaseholders and others.* *Rural disorganisation.*

[1] The opinion of Stubbs (*Const. Hist.* II. 485) and Thorold Rogers' *Economic Interpretation of History* that the rebellion was the means of securing substantial gain is discussed by Petit-Dutaillis in his introduction to Réville, *op. cit.* CXXVIII.

[2] See p. 534 below. The course of the changes in Forncett has been carefully traced by Miss Davenport in *A Norfolk Manor*, 96.

[3] 12 R. II. cc. 3—7. "The servants and labourers will not, nor by a long season would, serve and labour without outrageous and excessive hire, and much more than hath been given to such servants and labourers in any time past, so that for scarcity of the said servants and labourers, the husbands and land tenants may not pay their rents nor unnethes live upon their lands, to the great damage and loss as well of their lords as of all the Commons."

A.D. 1377—1399. prohibition was introduced against those who had served in agriculture till twelve years of age, being subsequently apprenticed to a trade in the town; this might prevent the supply of agricultural labour from being still further diminished. We also find some indication of a feeling that it was important to maintain the rural population, not only for agricultural but for military reasons; the servants and labourers were to have "bows and arrows and use the same on Sundays and Holy days, and leave all playing at tennis or football, and other games called coits, dice, casting of the stone, kailes (i.e. skittles), and other such importune games." The prohibition of swords and daggers to the labourer and artificer, "but in time of war for defence of the realm of England," was no unnecessary precaution when there were so many disorderly but able-bodied tramps, and when there were large retinues of liveried ruffians ready to maintain a quarrel[1]. Bands of discharged soldiers lurked in the woods and made travelling unsafe[2], and the "assemblies, conferences and conspiracies" of labouring folk seemed to be fraught with danger[3], and were prohibited in the first Game Law.

Game Law. A.D. 1390.

Protective legislation. A.D. 1361. *Corn Laws.* There are two other points, which are worth noticing; in subsequent statutes Edward III. had prohibited the exportation of corn to any foreign port but Calais and to Gascony[4]; if the production was diminished, it was desirable to secure the whole harvest for the use of English subjects, but under

A.D. 1394. Richard II. parliament entered upon another policy. If the prosperity of agriculture was to be assured, it was necessary that the farmer should have a good market for the corn, and so at the request of the Commons the king "granted licence to all his liege people of the realm of England to ship and

Freedom of exporting and

[1] 1 R. II. c. 7.

[2] Denton, *Fifteenth Century*, 186.

[3] 13 R. II. st. 1. c. 13. "Forasmuch as divers Artificers, Labourers, Servants and Grooms keep greyhounds and other Dogs, and on the Holydays when good Christian people be at Church hearing Divine service they go Hunting in Parks, Warrens and Conningries of Lords and others to the very great Destruction of the same and sometime under such Colour they make their Assemblies, Conferences and Conspiracies for to rise and disobey their Allegiance," laymen with less than 40*s.* and clergy with less than £10 a year are not to keep dogs or use ferrets, heys, nets, harepipes, cords or other engines to destroy deer.

[4] 34 Ed. III. c. 20.

carry corn out of the said realm to what parts that please them except to his enemies[1]." The king's council appear to have interfered frequently and to have rendered this law a dead letter, but this statute, as confirmed[2] and amended[3] under Henry VI., may be certainly taken as an attempt to keep up the price of corn and so to encourage the farmer to carry on and to improve tillage. The policy thus begun, of affording protection to native tillage, was carried still farther under Edward IV. The merchants of the Hanse League had taken to importing corn in considerable quantities[4], and in 1463 parliament prohibited the importation of foreign grown corn, when the price of wheat at the port to which it was brought did not exceed 6*s.* 8*d.* the quarter[5]. This was deliberately done to relieve the condition of the labourers and occupiers of husbandry and to raise the price of corn grown within the realm.

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A.D. 1437

prohibition of importing corn.

The statutes of this reign also notice the existence of a class about whom there was to be an immense amount of legislation in later times—the impotent poor; there was no intention that they should incur the penalties which were designed for the sturdy tramp who was wandering about with no testimonial from his last employer, but they were to stay in the cities and towns where they were dwelling at the time of the proclamation of the statute[6], "and if the people of cities or other towns will not or may not suffice to find them, then the said beggars shall draw them to other towns within the hundreds, rape or wapentake, or to the towns where they were born, within forty days after the proclamation made, and there shall continually abide during their lives." There is a certain *naïveté* in the sanguine temperament of legislators who thought that the 'settlement' of the impotent poor might be effected once for all in six weeks; the maintenance of the impotent was of course left to charity, and this could not always be depended upon. Owing to the agricultural depression, there had been a considerable

Poor Relief.

The Clergy.

[1] 17 R. II. c. 7.
[2] 4 H. VI. c. 5.
[3] 15 H. VI. c. 2.
[4] Worms, *La Ligue hanséatique*, 232.
[5] 3 Ed. IV. c. 2.
[6] 12 R. II. c. 7.

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falling off in clerical incomes[1]; and the tithes, which had formed a somewhat uncertain source for poor relief, were quite insufficient for the purpose. The claim of the poor upon them was not wholly forgotten, and it was enacted that when a living was impropriated, a convenient sum should be set aside to be distributed yearly to the poor parishioners[2]. As Professor Ashley has argued, there is little reason to believe that the almsgiving, either at monasteries or from the establishments of wealthy nobles did much to relieve or abate pauperism[3]. More real benefit may have accrued from the parish stock[4] which was sometimes available for the use of the poor, and from the proceeds of which relief could be given both in kind and in cash. The foundation of hospitals and almshouses of an ecclesiastical character had been a favourite form of benefaction in the thirteenth and earlier part of the fourteenth century. After the Black Death, many of these foundations suffered from greatly reduced incomes[5], while others were grossly mismanaged[6]. Municipal authorities had occasionally exercised supervision in regard to the control of these establishments[7]; but in the fifteenth century there was a great increase in the philanthropic activities of secular institutions. Town authorities and companies[8] busied themselves, not only in the maintenance of orphans, but also by providing accommodation for the passing traveller, for the sick and for the impotent poor.

Hospitals.

First signs of a new policy.

It thus appears that in dealing with rural problems, the parliament of Richard initiated several very important lines of policy. They set themselves to encourage tillage as a permanent employment, and began the Corn Laws, and in doing so they had a regard not merely to the need of food, but to the military strength of the country as recruited from the rural population. Again, we have in this reign the first legislation for the impotent beggars as distinguished from the sturdy tramp; and since both sides of the problem are

[1] Ashley, *Economic History*, I. ii. 310.
[2] 15 R. II. c. 6.
[3] Ashley, *Economic History*, I. ii. 313.
[4] Ibid. 310
[5] R. M. Clay, *Medieval Hospitals*, 182, 222. This was partly through the fall of rents and partly from the decrease of tolls at fairs. See above, p. 180, n. 5.
[6] 2 H. V. st. i. c. 1. Ashley, *Economic History*, I. ii. 318.
[7] R. M. Clay, *op. cit.* 16.
[8] R. M. Clay, *op. cit.* 17, 18. Mrs Green, *Town Life*, I. 41 n. E. Leonard, *Early History*, 23. Ashley, *op. cit.* 325.

attacked we may consider this the beginning of the Poor Laws; the idler was discouraged by the Statutes of Labourers, which attempted to force vagrants to accept employment, and by the Game Law. Like the mercantilist regulations for trade, and the Navigation Acts of the time, they are mere germs from which a whole elaborate code was to spring, but it is not uninteresting to notice how all these branches of social legislation have their first beginnings during this reign. A.D. 1377 —1399.

III. Commercial Relationships.

121. It is commonly said that Richard's failure to protect English shipping alienated the merchants from his side, and indeed that his deposition was directly connected with the weakness of the naval force of the realm, since a small fleet might have prevented the landing of Henry of Bolingbroke[1]. Be this as it may, Richard's successors were more careful than he had been, and tried, with but little apparent result, a variety of expedients for giving protection to English shipping and to the English coasts. A.D. 1399 —1461. *Decay of English shipping.*

Some allusion has been made above[2] to the piratical organisation known as the Victual Brothers; when it was crushed the evil hardly abated; several small nests of pirates were formed out of the surviving elements of the great association. Their ravages both by sea and land were so bold that the men of Amsterdam at length endeavoured to take the matter in hand, and entered into a league with A.D. 1408. Hamburg, Lubeck and other towns for the extirpation of the evil[3]. They were successful in destroying nine of the haunts of these pirates at the mouth of the Ems; but little permanent good was done. A celebrated pirate named Voet, who was at any rate acting in the interest and possibly with the connivance of the Hanseatic League, sacked Bergen in 1428; this was a serious blow to English trade in the

[1] Macpherson, *Annals*, I. 610.
[2] See p. 301 above.
[3] Vossius, *Annales Hollandiae*, lib. xv. p. 470.

A.D. 1399—1461. North Sea. But similar evils occurred nearer home, and there were pitiful complaints of the attacks of bands of

A.D. 1429. outlaws, known as 'Rovers of the Sea,' who pillaged the coasts in the time of Henry VI.[1] The reprisals of one trading community upon the merchants of another, was also a serious trading risk; but it ought not to be confused with mere plundering, for after all it was a rough and ready way of obtaining recovery for debts[2].

Exposed condition of the coasts. It is only, however, by an examination of the separate histories of different localities that we get any real idea of the frightful extent of this evil along all our coasts. Agnes Paston writes in 1450, as an everyday event, of a neighbour "who was taken with enemies walking by the sea side," and adds, "there ben ten great vessels of the enemies: God give grace that the sea be better kept than it is now, or else it shall be a perilous dwelling by the sea coast[3]." The

A.D. 1412. marauders seem to have kidnapped young and old[4]; we can well believe that rural districts like the neighbourhood of Paston had cause for alarm, when towns like Sandwich and Southampton were burned, and London and Norwich were forced to plan means of defence[5] with booms and chains.

Self-protection by merchants. Henry IV., though he organised a considerable navy in 1400 by requisitioning ships from the nobles and the towns[6], did not attempt the difficult task of protecting English shipping. Probably the best security was given by merchant vessels sailing together as a fleet, and this was a generally

A.D. 1406. recognised practice[7]. But Henry attempted to organise a

[1] *Rot. Parl.* IV. 350 (42), 376 (29). One of the first signs of the rising maritime importance of Holland was given when they helped to clear out a nest of pirates from Friesland. Macpherson, *Annals*, I. 620.

[2] The line was not drawn very strictly however. The commanders of vessels, who gave security for their good conduct according to treaty engagements with Brittany, were expected to refrain from attacking Breton vessels, presumably under all circumstances. Rymer, *Fœdera*, X. 804.

[3] *Paston Letters*, I. 114.

[4] 20 H. VI. c. 1.

[5] Denton, *Fifteenth Century*, pp. 87, 89.

[6] Rymer, *Fœdera*, VIII. 127, 172.

[7] Cotton, *Abridgement*, 548. John Sharpe owner of a vessel called the Christopher of Hull, complainant, sheweth that the same Christopher at Bordeaux was appointed to be one of the Admirals of the English navy then bound for England, and how that all the English Masters were sworn before the Chief Officers of Bordeaux not to depart or leave the said Admiral until they came to

system of defence rather for the coasts than the shipping; he committed this duty to the merchants themselves in letters addressed to the various ports, which empowered them to take three shillings on every cask of imported wine, besides other payments on staple exports for expenses connected with the work[1]. They were also to nominate two admirals[2], one for the south and one for the north, to be appointed by the king and to have full jurisdiction in maritime affairs, as well as power of organising naval forces whenever it was necessary; but a brief experience seems to have shown that the scheme was a failure, and the payments were rescinded[3]. A somewhat similar expedient was tried under Henry VI.; the Earls of Salisbury, Shrewsbury, Worcester, and Wiltshire, with Lord Sturton, were appointed to 'keep the seas' for three years; a grant of tunnage and poundage was assigned them for the purpose, and certain towns were to contribute specified loans, on the security of these taxes, for their immediate equipment[4]. But this attempt was also dropped, and the lords were, at their own request, discharged from the duty[5]. A.D. 1399—1461. A.D. 1453.

Insecurity of the coasts.

It is indeed difficult, in looking back, to realise that there was a real difference in the actual security afforded during any part of this period[6], or that Richard's reign was marked by greater losses than those of his grandfather[7] and his successor. The expedients of the Lancastrians appear to have been futile, though the military intercommunication with France[8], especially in the days of Henry V., may have afforded

England, and how by doing the contrary the said ship fully freighted was taken by the enemy: for the which ship and goods he requireth recompense of all the other ships.

[1] Rymer, *Fœdera*, VIII. 438. [2] Ibid. VIII. 439. [3] Ibid. VIII. 455.

[4] Cotton's *Abridgement*, 652. [5] Ibid. 657.

[6] It appears however that the tradition of the English sovereignty of the seas had not become altogether a dead letter, if we may trust the complaint alleged on behalf of John Willis, a poor fisherman of Ostend, who was carried off to Hull along with fifteen companions and four boys, although they were unarmed and lowered their sail as soon as the English hailed them: the incident is traditionally interpreted as a sort of salute. Rymer, *Fœdera*, VIII. 277.

[7] See above, p. 300.

[8] Henry V. had in 1417 a fleet consisting of six large vessels, eight barges and ten balingers (Nicolas, *Agincourt*, App. p. 21).

A good deal of interesting information on the state of the arts in England is to be found in the accounts of Henry V.'s preparations for his French campaigns.

A.D. 1399 —1461.

a greater measure of safety on the seas. This was at best a very temporary improvement, for in the reign of Henry VI. we find all the old complaints; the people on the coasts could not even get satisfaction by pillage, for their enemies claimed the prizes they took by forged letters of safe conduct. It appears that it was safer for 'neutrals' to send their goods in foreign ships, as they were less likely to be attacked, and the native shipping—so important for the safety of the realm—was much discouraged[1]. It is also curious to note how the

There was a great gathering of craftsmen to wait for the king; tents (Rymer, *Fœdera*, IX. 200), bows (224), carts (248), horseshoes and nails (250), arrows (436), guns (542), are all to be provided. Ships were to be hired in Holland and Zealand (215), and impressed from English ports; seamen were to be got to man them: carpenters and masons, presumably for making engines of attack (261), and surgeons (252 and 363), were to accompany the expedition: while bacon (437) and all sorts of other victuals were to be provided (224). For ready money he seems to have had recourse to pawning the Crown jewels (284), and to trying to raise loans, though without much success (499 and 814). The regulations made for the good government of Normandy, providing for uniform weights and measures, and coinage (738), the repression of unfair dealing by soldiers and merchants (728, 759), and confirmation of former possessions and privileges, show a real effort to govern the conquered country well.

[1] "Whereas poor Merchants of the King of this Realm daily be robbed by the King's Enemies, upon the Sea, and in divers Rivers and Ports within the said Realm, of their Ships, Goods and Merchandises, of great Riches, and their Bodies taken and imprisoned with great Duress, and put to great Fines and Ransoms, and the King's poor Subjects dwelling nigh the Sea Coasts taken out of their own Houses, with their Chattels and Infants upon Land, and carried by the said Enemies where it please them, which Mischief come by reason that the said Merchants be discouraged with Force and Puissance of Ships and of People defensible to keep the Sea and the Coasts of the same, for that the Ships, Goods and Merchandises by them taken from the said King's Enemies, be sometimes claimed by the King's Enemies, by Colour of Safe Conducts not duly purchased, nor of Record enrolled, so that the King's Subjects may have Notice of them, and sometimes be claimed by Merchant Strangers of the King's Amity, to be belonging to them, by Colour of false Witnesses of their Nation and by Letters of Marque, and Charters Party by them counterfeited, and by such Proofs upon such Claims be restored to the same Goods and Merchandises often taken in Ships and Vessels belonging to the King's Enemies, and the King's said Subjects put to great Vexation, and Loss of their own Goods, whereby the said Enemies be greatly enriched, and their Navy strongly increased, and the Navy and Merchandise of the said Realm of our Lord the King greatly diminished....Our said Lord the King considering the Premisses, and that if People of the King's Amity be feared and discouraged to freight the Ships and Vessels of the King's Enemies and Adversaries, their Navy in time to come will be decreased and diminished, and the Navy of the King's Subjects increased and enlarged"—it was provided that all Letters of Safe Conduct should be void unless they had been enrolled in Chancery, and that Goods taken from Enemies' ships which had not such letters should be lawful prize. 20 H. VI. c. 1.

This preamble throws an instructive light on the negotiations with the

first attempt at remedying a crying evil only seemed to aggravate the mischief: the issue of letters of safe conduct prevented the men on the English coasts from getting redress by taking the matter into their own hands, while they did not serve to secure any immunity from danger. A.D. 1399–1461.

Henry V. endeavoured to bring about one change of permanent value, for he devoted himself to the improvement of English ships, in imitation of the large vessels of the Genoese; three ships of unwonted size were turned out from the docks at Southampton, and were called respectively the *Trinity*, the *Grace de Dieu* and the *Holy Ghost;* twenty years afterwards the glory of this achievement was still celebrated[1]. Private merchants also showed great enterprise in this way; John Taverner of Hull built a great carack and received substantial encouragement by being exempted from the law of the staple[2], and William Canynges owned 2,853 tons of shipping, among which was one vessel of 900 tons burden[3]. Similar endeavours were being made in other countries; it was during this century that the large herring busses, which are familiar to all readers of Adam Smith, first appeared in English waters[4]; and large ships capable of holding two hundred passengers were now built, and went on regular voyages in the summer season, with pilgrims who desired to visit the shrine at Santiago di Compostella[5]. It is of course difficult for us to estimate the precise amount of the progress that was now made, but it is well worth noting as an important effort; these improvements in ship-building enabled Englishmen to send out fleets that

Ship-building.

A.D. 1419.

A.D. 1415.

Hansards as to the damage they had suffered, and as to the course taken by the English Ambassadors in requiring clear proofs of the wrongs done, and in cutting down the amounts claimed.

[1] *Libelle of English Polycye* in *Political Songs*, II. 199.

[2] Rymer, *Fœdera*, XI. 258.

[3] William of Worcester's *Itinerary* (Dallaway), p. 114. But it is not clear that they were English built; for it is stated as a grievance in 1442 (*Rot. Parl.* v. 64, No. 39) that Englishmen were prevented from buying or building ships in Prussia and the Hanse towns. The largest ship of which we hear at this time in English waters was one belonging to the king of Sweden, which was of 1000 tons. Rymer, *Fœdera*, XI. 364.

[4] Macpherson, I. 631.

[5] Jusserand, *English Wayfaring Life*, 367. Rymer, *Fœdera*, X. 396, 401, 567, XI. 77.

A.D. 1399—1461.

were fit to be employed in voyages of discovery under the Tudors.

Navigation laws.

While this direct encouragement to the building of ships may be regarded as a new departure, the older and indirect methods were not left out of sight, though they were allowed to drop, and the navigation policy was somewhat in abeyance[1]; a navigation act very similar to those of Richard II. was passed in 1463[2]; but it was only temporary, and it appears to have expired at the end of three years and not to have been renewed.

Commercial treaties.

122. The growth of English commerce at this time is shown by evidence of another kind, for we have a considerable number of commercial treaties. There was much correspondence between the Venetians and Edward III. before the trade was established on a satisfactory footing[3]. The Venetians appear to have desired protection for their Flemish galleys on the Channel[4], but they were indisposed to call at English ports[5], till they were driven to do so in self-defence by the competition of the Genoese. The agreement with Britanny[6] had special reference to the hostilities between England and France; that with Burgundy laid the foundation of English trade at Antwerp[7]. Others were of a more general character, and show that direct trade was extending to wider limits. An agreement for the security of the subjects of the two contracting parties was made between England and Castile in 1403, by which freedom was given to them to go and stay for a time and return with their goods, in safety both on land and sea[8]. Our political relations with Portugal[9]

[1] Schanz, *Handelspolitik*, I. 363. Henry IV. was asked to confiscate foreign ships and reinforce the Navigation Act of Richard II. (p. 394 above), but he took no active steps (*Rot. Parl.* III. 144, No. 153), and no Navigation Act was passed under Henry V. or Henry VI.

[2] 3 Ed. IV. c. 1.

[3] *State Papers, Venetian*, No. 9, No. 47. See below, p. 425.

[4] Rymer, *Fœdera*, III. pt. i., 351.

[5] After the disastrous riot of 1323. *State Papers, Venetian*, Nos. 18, 19, 20. The king did his best to reassure them. Rymer, *Fœdera*, II. i. 593.

[6] Rymer, *Fœdera*, VIII. 490.

[7] Evan Bruysell, *Histoire de la Commerce en Belgique*, II. 125; Rymer, VIII. 469.

[8] Ibid. VIII. 312.

[9] Philippa, daughter of John of Gaunt, was married to John I. of Portugal. Her third son was Prince Henry the Navigator. C. R. Beazley, *Henry the Navigator*, p. 135.

rendered the commercial ties closer than before; though the connection was not very popular in this country, and the existence of a treaty did not restrain English subjects from capturing ships and goods belonging to natives of Portugal[1]. It must be added that these agreements do not render it quite clear that English merchants were actually accustomed to visit the Peninsula at that time. A.D. 1399 —1461.

To the north of the continent of Europe they certainly traded; but English merchants in Prussia and the Hanse towns found themselves at a disadvantage and exposed to loss, because there was no proper authority to regulate their officers and settle disputes among them[2]; they elected a governor whose authority was confirmed by Richard in 1391. Subsequently Henry IV. empowered[3] the merchants trading in those parts to meet together and elect governors who should not only have authority in quarrels which arose among the English themselves, but should have power to arrange disputes between English and foreign merchants and to secure redress for any injury that might be done them in foreign parts. This was in 1404, and three years later similar privileges were granted on precisely similar grounds to the English merchants of Holland, Zealand, Brabant and Flanders[4], and afterwards to those of Norway, Sweden and Denmark[5]. These documents are of considerable interest as they are among the earliest instances of the formation of organisations of English merchants for mutual protection in the prosecution of trade[6]. In the formation of these companies there is no close analogy with the Merchants of the Staple, though they formed a trading association[7], for they were *Merchant companies.* A.D. 1408.

[1] Rymer, *Fœdera*, VIII. 329.

[2] Ibid. VII. 693.

[3] Ibid. VIII. 360.

[4] Ibid. VIII. 464.

[5] Ibid. VIII. 511.

[6] The previous protection afforded by treaty (Hakluyt, *Voyages*, I. 150) had not proved effectual, and for a time trading relations were suspended.

[7] The earlier organisations of Staple Merchants, such as those of which we read in the time of Edward II., and the organisation of the staplers at Bruges in 1359 (see *Appendix C*), are much more nearly parallel to these new companies. The action of the staplers in regulating trade is alluded to in a complaint which came before Parliament in 1442, and exposed the mischiefs which accrued from the Staplers' Ordinance of partition. The merchants were obliged "to leave their Merchandises of Woll and Wollfell, because they may not be rulers of their owen goodes," and others who could not "abide the streight rule of the saide

A.D. 1399 —1461. primarily concerned with one great source of revenue and carried on their transactions in a town that belonged to England[1]. The various companies of Merchant Adventurers which were authorised at this time seem to have been created for commercial purposes, and not as administrative agents of the government: each of them had definite territorial limits assigned, within which its members were privileged to trade. Similar companies played a great part in the sixteenth and seventeenth centuries, and served as the organs by which English trade was so greatly extended in America, Africa, and the East Indies. As institutions these companies form a curious connecting link between the intermunicipal trade of the Middle Ages and the world-wide commerce of modern times. The merchants who traded from London, Newcastle, and Hull to Bruges, and whose affairs were managed by a court of English residents in Flanders, advanced so fast as to become dangerous rivals to the Hanse League in some branches of their trade. The prime object of these companies was to secure judicial facilities for their members in foreign places; but they also had much to do with the regulation of trade, and they laid down rules which were intended to keep the members from reckless trading, and to prevent any of them from spoiling the market for English goods. In the later history of the A.D. 1600. Merchant Adventurers we hear much of a 'stint' or limit assigned to each member according to his standing in the Company, and which restricted the number of cloths he might export in each year[5]. Similarly the regulations for A.D. 1467. the trade of Bristol, as reissued under William Canynges, presuppose that there should be a 'ruled price' for each of the chief commodities of trade, and that no merchant should

Merchant Adventurers.

partition," had taken to smuggling wool out of the country, and defrauded the king of his regular customs. *Rot. Parl.* v. 64 (38).

[1] From the time of Richard II. till 1558 the staple was usually fixed at Calais. Gross, *Gild Merchant*, I. 141. It was primarily a 'fiscal organ' though also subserving trading purposes. Ibid. 144. The mayor of the staple in Exeter, and presumably in other towns, continued to exercise jurisdiction in commercial cases: Leadam, *Select Cases in Court of Requests*, LXXIV.

[2] 12 Henry VII. c. 6.

[3] Rymer, VIII. 464.

[4] Gross, *Gild Merchant*, I. 153.

[5] J. Wheeler (Secretary of the Merchant Adventurers), *Treatise of Commerce*, 57.

sell below it, unless he was in difficulties and the wardens of the company had failed to 'provide a remedy' after three days' notice[1]. A.D. 1399—1461.

Provision for the protection of English merchants could also be made by the appointment of foreign consuls. The Italian cities had accredited such agents long before this time; but the appointment in 1485 of Lorenzo Strozzi, a Florentine, to be English Consul at Pisa appears to be the first instance recorded of an official being empowered to undertake this responsibility for Englishmen in the Mediterranean[2]. Possibly his duties were not very arduous at first; it appears from the terms of the appointment that English merchants were intending to trade there, and that the experience of other nations showed that the existence of such an officer would prove an inducement to Englishmen to undertake direct voyages to Italy. *Consuls.*

In the north, however, Englishmen were really pushing their trade to such an extent that they were brought into difficulties with more than one of their neighbours. At the beginning of the fifteenth century the Hansards found that their monopoly of the Baltic trade was threatened by English merchants[3], as well as by their old antagonists the Danes; after the accession of Queen Margaret, the Danish influence became dominant over the whole Scandinavian peninsula[4]. There was no immediate breach with the Hansards, but they complained that they were unfairly treated by the Danish officials in various ports; and open war was carried on in the time of Eric. The great Norwegian staple town of Bergen suffered severely during this struggle; a corsair from Wismar attacked and destroyed it, and the English merchants who resided there were massacred[5]. They had been in a more favoured position than the Hansards, and were thus specially obnoxious to their rivals. On the whole, however, English merchants gained by the struggle between the Danes and the Hansards; they were able to open up communications with Prussia, where they were welcomed by the Teutonic knights[6], and *Rivalry with Hansards.* A.D. 1397. A.D. 1429

[1] Barrett, *History of Bristol*, 179.
[2] Rymer, *Fœdera*, XII. 270.
[3] M. Sellers, *Acts and Ordinances of Eastland Company*, C. S. I. 141.
[4] Worms, *La Ligue hanséatique*, 139.
[5] Ibid. 144.
[6] Ibid. 150.

A.D. 1399 —1461. thus the monopoly, which the Hansards had enjoyed in the Baltic, was completely broken down. Even by the treaty of A.D. 1474. Utrecht, in which Edward IV. was forced to treat the Hansards with special indulgence[1], the right of the English to trade in the Baltic was preserved, and the position of Eastland merchants who traded with Prussia was rendered more secure on paper, though it does not appear that they gained much practically.

Though the rulers of Scandinavia and Denmark were willing to encourage the merchants of England and Holland in preference to the Hansards, and in order to break down their monopoly, they were by no means inclined to brook interference in the regions where they had themselves en-

Trade with Iceland. joyed an exclusive trade. Iceland was their chief dependency, and they were anxious to preserve the fur trade for their sole benefit, and also to keep their fishing rights on the north and western coasts inviolate. This was the regular policy of the Norwegian rulers[2], but though it was frequently re-enforced, it was not steadily maintained, and foreign merchants did not willingly conform to it. The English persisted in trading with Iceland; and in the early part of the fourteenth century, an elaborate proclamation[3] was issued for regulating the bartering at the general market; for coined A.D. 1413. money does not seem to have been in use there. Englishmen preferred to deal direct with the island, and were not content to frequent the royal staple at Bergen and abide by the regulations which governed transactions there[4]. The king endeavoured to enforce his rules and confiscated the goods of English merchants throughout his dominions—a step which caused general consternation, for as there were no Danes trading to England it was impossible to make reprisals[5]. Our seamen continued to carry on the contraband trade with

[1] See below, p. 422.

[2] Worms, *La Ligue hanséatique*, 156.

[3] Professor Muller of Bombay has called my attention to this interesting document. It has been printed by F. Magnusson, *Nordisk Tidskrift for Oldkyndighed*, and a translation is given in Prof. Ridgeway's *Origin of Currency*, p. 18.

[4] 8 H. VI. c. 2.

[5] 10 H. VI. c. 3. In some previous quarrels the Hansards at Boston had been held responsible. Rymer, VIII. 684, 701, 736; IX. 325. See above, p. 316.

Iceland under various excuses[1], and in 1476 they ravaged Iceland and slew the royal bailiff there. Such open defiance was promptly met by their expulsion from Bergen and resulted in the triumph of their Hanseatic rivals for the time[2]. A.D. 1399–1461.

123. The disabilities to which Englishmen were liable in foreign parts reacted on the position of foreigners in England. King Henry IV. was forced to call pointed attention to the fact that the privileges granted to the men of the Hanse Towns had been accorded to them on the express condition that English merchants abroad should receive similar treatment in Germany[3]. But negotiations were always complicated by the fact that reprisals were constantly going on, from both sides; and the main business was not so much to arrange the footing on which merchants might trade, as to settle the large claims for redress which were put in by the merchants of different trading towns. The practice of reprisal and the existence of organised bands of pirates have been spoken of above[4]; but much additional information may be drawn from the accounts of the two serious attempts that were made to settle outstanding grievances. *Alien merchants in England.*

Tedious negotiations began in 1403 when William Esturmy, Knight, and John Kington, Canon of Lincoln, were sent from the court of parliament at Coventry, "very slightly informed[5]," as royal ambassadors to treat about the "injuries unjustly offered" on both sides. Each town makes its plaint in turn, and the ambassadors endeavoured to cut down exorbitant demands. The chief complaint against the English came from the Livonians, who had had three ships "unjustly" robbed and rifled by the English in July 1404; they valued the ships and goods at £8037. 12*s.* 7*d.*, but the English ambassadors reduced the claim to £7498. 13*s.* $10\frac{3}{4}d.$ It was *Negotiations about injuries.* *Claims against the English.*

[1] John, one of the Icelandic bishops who was afraid to go and get installed, deputed John May, Captain of the Katharine of London, to go and inspect the temporalities of his see. Richard Weston, a stock-fishmonger, was also concerned in this voyage. Rymer, x. 645; see also 682 and 762.

[2] Worms, *La Ligue hanséatique*, 152.

[3] Rymer, *Fœdera*, VIII. 112. Richard II. had made an express stipulation "of their aiding, counciling, and comforting" Englishmen abroad. *Rot. Parl.* III. 52 (6).

[4] pp. 301, 409.

[5] Hakluyt, *Voyages*, I. 154.

A.D. 1399 —1461. also alleged that in the affair the English had caused "250 men very barbarously to be drowned, of whom some were noble and others honourable personages, and the rest common merchants and mariners," in respect of whom the English agreed that the "said sovereign lord the king should of his great piety vouchsafe effectually to devise some convenient and wholesome remedy for the souls of such persons as were drowned." The people of Hamburg claimed 9117 nobles, and after due examination restitution was promised to the sum of 416 nobles; to the men of Bremen, who claimed 4414 nobles, no satisfaction was promised; and the claims from Stralsund, Lübeck, Greifswald and Kampen were greatly reduced. Some matters were deferred till additional evidence could be procured, and English goods in the hands of foreigners were to be counted as an offset.

Claims by the English. The chief claims on the English side were against the citizens of Wismar and Rostock, who, in the ten preceding years, had committed robberies on ships from Newcastle, Hull (five complaints), York (two), London (two), Colchester, Yarmouth (five), Norwich, Clee (six), Wiveton (six), Lynn (seven). The most serious charge was from the people of A.D. 1394. Lynn; they had a mercantile settlement consisting of twenty houses at Bergen in Norway; this town was attacked by the men from Wismar and Rostock and burnt; the English merchants lost their houses and goods, and had to ransom their persons at an expense of £1815[1]. It was further averred by the English ambassadors that these were not the mere acts of individuals, but that the whole towns were implicated in these outrages, since the men were "hired thereunto at the expenses and charges of the common societies of the cities aforesaid, and that the inhabitants of every household in the aforesaid cities (each man according to his ability) wittingly and purposely set forth one, two or more men for the same expedition." Eventually king Henry agreed to pay[2] the sum of 5308 nobles.

[1] Hakluyt, *Voyages*, I. 169.

[2] Rymer, *Fœdera*, VIII. 601. It is especially stipulated that the payment should be by bills and not made in bullion, except a reasonable sum for the ambassador's expenses.

When the question of damages is thus set aside, we may see more clearly the nature of the grievances on each side. The Hansards chiefly complained of the way in which the customers performed their duties at different ports, in charging customs twice over, or charging at illegal rates, and they claimed the privileges of their ancient charters. The English complained that the Hansards would not deal with their merchants, and had carried this boycotting so far as almost to starve some of them; they had not only made unreasonable regulations themselves, but had procured the passing of similar laws in Norway and Sweden. It was also urged that they had infringed their privileges in London; they were accused of allowing strangers, who were not members of their society, to "colour" their "goods and merchandise under their company[1]," and so had diminished the king's custom. This had been done so commonly for twenty years past, both by the general council and particular cities, that the loss to the revenue could not easily be calculated. The loose organisation of the Hanse League rendered it very difficult to check frauds of this kind, and the English ambassadors demanded a declaration in writing as to "what and what manner of territories, cities, towns, villages or companies they be, for which the said society challengeth and pretendeth that they ought to enjoy the privileges granted unto their merchants."

A.D. 1399—1461. *Nature of the grievances.*

One result of these negotiations was a new effort to put down 'unjust' robberies by sea; it was agreed that when anything was taken by English pirates from Prussian subjects and carried to England, the governors of the various ports should be bound on sole report or probable suspicion to arrest and keep the goods in safe custody to be restored to their owners; and if they omitted to do so they were themselves bound to recompense the losses; a delay in executing justice or reimbursing the pillaged merchants, was to be met by the arrest of English goods in Prussian towns. Such limitation of reprisal, so that it became the final remedy when legal processes failed, was a real step in advance.

Arrangements for redress.

Still more important negotiations were carried on in the *Political*

[1] Hakluyt, I. 174.

A.D. 1399 —1461. *relations of the Hansards.*

time of Edward IV.; and the treaty of Utrecht was confirmed by the king in 1474. The Hansards then secured very favourable terms, which were wrung from Edward IV. somewhat against his will, for he desired to stand well with the City merchants; but the Hansards had come to his aid at the crisis of his fortunes and he did not dare to resist their demands. When, in 1470, Warwick secured French support for the cause of Margaret and the Lancastrians, the Hanse towns, with some exceptions, felt called upon to interfere; if French influence came to dominate in London, there was little hope that their privileges would be respected, and they gave substantial assistance to Edward, who landed at Ravenspur and carried all before him[1]. Four years later he had to pay the price for their aid, and the Hansards were able to secure unusually favourable terms; they were to have absolute possession of three factories, the Gildhalla Teutonica, or Steelyard in London, the Steelyard in Boston, and another in Lynn[2]. Besides this, they were credited with a sum of £10,000 in satisfaction for injuries done them; this sum was not to be paid, but deducted from the customs as they accrued. Various important privileges were confirmed to them, and they secured the right of selling Rhenish wines by retail[3]. This agreement probably marks the highest point of success to which the Hanse merchants attained in their dealings with this country; the settlement in London had flourished for more than four hundred years, but their monopoly of the Baltic trade was already broken. So far as their position in England was concerned their decline and fall were singularly rapid, and in the time of Elizabeth the ancient Steelyard was altogether deserted.

Nature of Italian trade.

124. The frightful disasters which overtook France during the Hundred Years' War must have reacted to some extent on the trading connections of England. The whole of the country had suffered terribly, but no part was more utterly exhausted than the districts of Champagne and Burgundy[4], where the great fairs had been commonly

[1] On the whole incident compare R. Pauli, *Die Haltung der Hansestädte in den Rosenkriegen* in *Hansische Geschichtsblätt.* (1875), 75—105.

[2] Rymer, *Fœdera*, XI. 796. [3] Ibid. XI. 799.

[4] Basin. *Hist. de Charles VII.*, II. c. 1, ed. Quicherat, p. 44.

held. These were practically discontinued[1], and merchants no longer travelled along the ancient trade route from Marseilles by Lyons to the north; the course of traffic was diverted, and the chief stream of commerce between Italy and the north was forced to make its way through the Straits of Gibraltar and the Bay of Biscay. Italians continued to frequent this country, but they sailed here in their galleys, and no longer travelled by the overland route. There was a change too in the style of the business they carried on, for it was mercantile rather than financial. It is commonly said that Italians originally settled here, as in other parts of the north, with the view of collecting and transmitting papal taxation[2]; and this becomes probable, when we bear in mind that finance was not their exclusive calling, and that, as we have seen, the Florentines were also engaged in procuring raw wool for the manufacturers in their own city; while men of Italian extraction were partly occupied in the importation of spices[3]. In 1284 three Italian merchants wrote from London to acquaint their principals with the arrangements they had made for procuring wool regularly from various monastic establishments; and a list survives from the year 1315 of nearly two hundred ecclesiastical houses in England and Scotland which furnished the Florentines with this article[4]. The fact that the papal agents were also engaged in an export trade goes far to explain how it was possible for England to meet the continual drain of papal taxation; as the wool trade declined[5] it became more necessary to insist on the use of bills of exchange in this business, for the

A.D. 1309 —1461.

Italian galleys.

[1] Pigeonneau, *Hist. du Commerce de France*, I. 363.

[2] Schanz, *Eng. Handelspolitik*, I. 111.

[3] *Chronicle of the Mayors and Sheriffs. De antiquis legibus Liber* (Camden Soc.), 118. See above, p. 323.

[4] S. L. Peruzzi, *Storia del commercio et dei banchieri di Firenze*, 70.

[5] The development of the cloth trade in England may have interfered somewhat with their chief exports, and inclined them to attempt that direct export of bullion which Richard II. prohibited; but in the earlier part of the fourteenth century, their business must have been principally that of negotiating bills of exchange; these were probably liquidated partly through transmission of English wool overland to Italy, and partly at the great fairs of Champagne. A. Beer, *Allgemeine Geschichte des Welthandels*, I. 221. Bourquelot in *Mém. de l'Académie des Inscriptions*, II. series, V. ii. 127.

A.D. 1399 --1461.

wool-merchants would prefer to export raw material when they could.

Florence.

The first Florentine merchants settled in England were chiefly occupied in transmitting money's worth to Italy and in carrying on financial business in England: the Frescobaldi, Bardi and Peruzzi were, not so much merchants, as bankers with whom Edward III. had large transactions. He was not the only royal defaulter of the time[1], and the disasters which attended the banking-houses appear to have reacted on the prosperity of the Tuscan city itself[2]. They never recovered their financial importance however, but they seem to have followed in the wake of the Venetians and to have carried on a direct maritime trade with England in the fifteenth century; their great galleys brought 'things of complacence' to London, while their merchants throve by their business relations with the Netherlands[3].

Genoa.

The original connection with the Genoese was of a different character. Richard I. had established relations with them, but it was not easy to preserve friendly ties with the Ligurian republic[4]. They took the same impartial interest in the maritime struggles of the fourteenth century as the Swiss did in military operations at a later time, for they were always ready to supply mercenary ships of war. In 1316 King Robert the Bruce hired some galleys from Genoese citizens to be used against England, and Edward II., into whose hands some letters about the transaction had fallen, complained of this infraction of the ancient amity with the Republic; while a few months later he endeavoured to procure similar assistance for himself[5]. Edward III. was at great pains to court their friendship[6] and to disarm their hostility[7]. As French influence over Genoa increased there was a breach of the friendly relations with England[8]. This was a matter of regret on other grounds, as the Genoese

[1] Robert of Sicily. Peruzzi, *Storia*, 461.

[2] S. L. Peruzzi, *Storia*, 457.

[3] *Libelle of English Polycye* in *Political Songs*, II. 172.

[4] J. T. Bent, *Genoa*, 149.

[5] *Fœdera*, II. i. 293, 313.

[6] Ibid. II. ii. 941, 946, 948.

[7] Ibid. II. ii. 1156; III. i. 126.

[8] Ibid. VIII. 717, 773. Henry V. endeavoured at least to secure their neutrality, as when he granted them trading concessions he did not bind them not to trade with his enemies. *Fœdera*, X. 120.

had opened up commercial as well as military connections with the north of Europe, and the trade with them would have been particularly profitable. At one time there was a prospect of a Genoese staple being established at Southampton, but this was prevented by the jealousy of London merchants[1]; and England lost the advantage which would have accrued. The Genoese were skilled in the manufacture of weapons and munitions of war[2], and they also imported alum, woad and other materials which were useful for the cloth manufacture[3], while they exported large quantities of English goods; the business they carried on was more in favour with the English citizens than that done by other Italians[4] despite their political connection with France. But this connection affected the privileges which the king allowed them to enjoy, and their position suffered from the varying relations of the Lancastrians and Yorkists to France[5]. A.D. 1399—1461. A.D. 1379.

The Venetians were under no such disadvantage; they seem to have frequented this country for trading at an earlier date than any of the other Italians[6]; and they were the pioneers among their countrymen in organising direct trading voyages. The Flanders galleys first sailed in 1317, they seem to have called at Southampton on some of their earlier voyages; we hear of a quarrel between the crews of five Venetian galleys and the people of Southampton and the Isle of Wight in 1323[7]; shortly afterwards a regular grant of trading privileges[8] was accorded by the Crown, but the Venetians do not seem to have been willing to take advantage of it at first[9]. The growing success of their Genoese rivals in Flanders, however, forced them to alter their views and to visit Southampton[10], and in the early part of the fifteenth *Venice.*

[1] Walsingham, *Hist. Angl.* I. 407, 449.

[2] A. Beer, *Geschichte des Welthandels*, I. 200.

[3] We hear of the import of corn in 1316, a famine year. *Fœdera*, II. i. 292.

[4] *Libelle* in *Political Songs*, II. 172.

[5] Schanz, *Englische Handelspolitik*, I. 116.

[6] Ibid. I. 117. *Rot. Cart.* p. 84, 13 Jan. 1201.

[7] *Calendar of State Papers* (Venetian), I. 5, No. 18.

[8] Rymer, *Fœdera*, II. i. 593.

[9] See above, p. 411.

[10] The early history of commercial intercourse with Venice may be traced in the

A.D. 1399 —1461. century this port, with Bruges, was the great centre of Venetian trade in the north of Europe; they sailed to London and other English ports with merchandise, thence passed to Flanders to transact business, and afterwards loaded with English goods and returned to the Adriatic[1]; they enjoyed very special privileges about arrest for debt, and in regard to the tribunals before which they should plead[2], while they shared in the relaxation of the staple regulations which was permitted to merchants trading towards the West[3]. But

A.D. 1379. the trade which they carried on did not meet with general approval. Venetians had far outstripped their Italian rivals in the development of manufactures, and their connections did not enable them to bring to England raw materials for cloth dressing and dyeing, such as the Genoese furnished; they therefore imported spices, drugs and fine manufactured goods which public opinion condemned as mere articles of luxury that pandered to extravagant tastes.

Import of articles of unproductive consumption,

This objection to certain branches of foreign trade, on what we may call sumptuary grounds, is one we shall meet

State Papers (Venetian) I. In 1317 (the first year when the fleet was organised) an attempt was made to come to some agreement with Edward III., and unless this arrangement was ratified the Flanders galleys were not to visit England (No. 9). In 1319 (No. 11) the agent of a certain Nicoleto Basadono sold 10,000 lbs. of sugar and 1000 lbs. of candy in London, and lent also 3580 livres in money. He bought a return cargo at Boston fair and set sail in two coggos to Flanders, but was robbed by English sailors. Hence we may argue that at this date direct trade by sea had already begun. The riot of 1323 caused a rupture in the direct intercourse between Venice and English ports (Nos. 18 and 22) but English products were being conveyed by the sea route, and there were frequent ordinances levying duties on English wool brought overland from Flanders (Nos. 21, 23, 34, 37). In 1384, however, the successful competition of Genoese galleys in Flanders seems to have forced the Venetians to send part of their fleet to Southampton (No. 96), but the oarsmen were to be prohibited from going ashore. Similar tentative arrangements were made in subsequent years (Nos. 97, 98, 102, 105), and after 1392 one or other of the English ports was regularly visited by the Flanders fleet. According to their regular course, they visited Syracuse, Majorca, the coasts of Spain and Portugal, and proceeded thence to England, and to the Low Countries; they frequented the Channel ports rather than London itself. The whole was under the direction of a Commodore elected by the Great Council; each vessel had 30 archers on board, for purposes of defence. The galleys were manned by 180 Sclavonian oarsmen, who had a fraternity in Southampton and their own place of sepulture at North Stoneham, where the inscription may be read, "Sepultura de la schola de sclavoni, ano Dni MCCCCLXXXXI." R. Brown, *Calendar of State Papers* (Venetian), I. lxi.

[1] Rymer, *Fœdera*, VIII. 595.

[2] *Calendar of State Papers* (Venetian), I. 41, No. 138.

[3] 2 R. II. c. 3; 2 H. V. st. II. c. 6.

over and over again, but it nowhere finds more definite expression than in the *Libelle of English Polycye.* A.D. 1399 —1461.

The grete galleys of Venees and Fflorence
Be wel ladene with thynges of complacence
All spicerye, and of grocers ware,
Wyth swete wynes, alle manere of chaffare,
Apes, and japes and marmasettes taylede,
Trifles, trifles that litelle have availede
And thynges wyth whiche they fetely blere oure eye,
With thynges not enduryng that we bye.
* * * * *
Thus these galeise for this lykynge ware,
And etyng ware, bere hens our best chaffare,
Clothe, wolle and tynne, whiche as I saide beforne,
Oute of this londe werste myghte be forborne.
Ffor eche other londe of necessite
Have grete nede to by some of the thre,
And wee resseyve of them into this cooste
Ware and chaffare that lyghtlye wol be loste[1].

On these and other grounds public opinion demanded that some limitation should be imposed on the Italian traders. It was asked first of all that they should only import commodities from Venice and the East, as they had engaged in the carrying trade between Spain, Portugal, Britanny and England[2]; here we have another indication of Navigation policy, requiring these foreign merchants to

[1] *Libelle of English Polycye* in *Political Songs* (Rolls), II. 173. This most interesting tract should be compared with Sir John Fortescue's *Comodytes of England*, written before 1451 but only recently printed. After mentioning the (1) rivers and (2) harbours, which gave all parts of the land the advantage of trade, he adds, "The third comodyte of this land ys that the grounde thereof is soo good and commodyous to the shepe, that beare soo goode woll, and ys soo plentyous thereof that all the merchands of two londs may not by that one merchandyz. The fourth comodyte that the comones have with in hem ys wollyn clothe redy made at all timys to serve the merchaunts of any two kingdomys Chrystenye or hethynnye." I. p. 551.

[2] "Eke when the Spaynards, Portyngalers, Bretons, and othere Merchantes of the Contres on this half the saide Straytes (Marrock, i.e. Gibraltar) brought and solde theymself here in this Reaume, Greyn, Oyle, Wex, Iren, Fruyt, and suche other Merchandises of the same Countres, and also where that the Merchantes of Engelonde with her Shippes, myght goo and bye there hemself such Merchandises and brynge hem into Engelond, thanne were al suche maner of Merchandises in grettere habundance, and at bettere chepe and price wythynne this Reaume, and the Navie and the Merchaundises of this saide Reaume in bettere estate thanne ever they were or are lykly to be." Since the Italians had taken up the carrying trade they had brought fewer goods from their own land, with the usual complaint of increase of price, decrease of customs, lowering the price of native exports, and "eke to gretter hurt of alle the Navye." *Rot. Parl.* v. 31 b.

A.D. 1399 —1461.

import only the produce of their own land. The petitioners also urge the singular plea, quite in a Cobdenite spirit, that commercial needs would facilitate peace between the hostile nations, if it were not for the intervention of neutral traders. "All tho that are youre Ennemys in any Contres on this half the said Streites schall be fayne to desire your peas and frendeship, or atte best to bryngge hider their Merchandises and fette yours be sauf conduyts[1]." No action was taken on this petition, and in 1445 there were other complaints brought against them; this is the first symptom of the objection that they were seriously interfering with the native industry of the country—and indeed with the staple trade. "Whereas the Merchaunds Straungers Italyans, of longe tyme contynually abydinge in this your noble Reame, have customably used to ryde aboute for to bye Wollen Clothes, Wolle, Wolfelles, and Tynne, in every partie of the same Reame, by the sufferaunce whereof the said Merchaunds have knowleche of all the privetees of the same Reame, as well of the povertye of your peple as of their penurye. Wheche poverte and penurye the said Marchaunds percevynge, have redye money and therwith at the first hande bye Wollen Cloths, Wolle, Wollefelles and Tynne, of such indygent persones as sell hit at their grete myschief and losse, and summe of the said Merchaunds putte the said Wolle for to make Clothe thereof," and the price of wool and cloth had in consequence been greatly diminished and decreased, than which there could be no greater hurt to the liege people of the realm. The suggested remedy was to ordain that these foreigners should only buy the staple commodities at the ports where their galleys called, and that they should not be allowed more than three months in which to dispose of their cargoes[2]. Like the previous complaint this was ineffectual and it is not hard to discern the real ground of the objection here alleged. The London wool staplers and clothiers[3] did not pay ready money, and for that matter did not always pay at

and of articles that might be manufactured at home.

The cloth trade.

[1] *Rot. Parl.* v. 32 a.

[2] *Rot. Parl.* v. 334 (11).

[3] See a complaint of their monopoly from the drapers in 1406. *Rot. Parl.* III. 598, No. 127.

all[1]. Such competition as that of the Italians in the internal trade of the country must have interfered seriously with their accustomed profits. The complaint of their buying wool, "some of which they delivered to clothiers to make cloth after their pleasure," reappears in the reign of Richard III., along with a very complete summary of the other grievances which had been matters of complaint at all times—of storing goods so as to sell at enhanced prices, of selling by retail, of exporting money and not commodities, and of harbouring other aliens[2]. A.D. 1399—1461. A.D. 1484.

125. Though the outcry about the interference of foreigners in the great manufactures of the country had no immediate effect, serious efforts were made in the latter half of the fifteenth century to encourage native industry, partly by prohibiting the importation of finished goods and partly by encouraging the importation of materials. In 1455 a complaint was made on behalf of the silkwomen and spinners of the mistery and occupation of silk-working in London that the Lombards, with the intention of destroying the said mistery, were introducing "ribbands and chains, falsely and deceitfully wrought, all manner girdles and other things concerning the said mistery and occupation, in no manner wise bringing in any good silk unwrought as they were wont to bring heretofore"; and parliament entirely prohibited the importation of these goods, under the penalty of forfeiture together with a heavy fine[3]. *Protection of native artisans*

The reigns of the Yorkists were particularly distinguished for the eagerness with which this policy was pursued. Edward IV. passed similar measures with regard to silk in 1463[4] and 1483[5]; but the former statute contained another clause of a far more sweeping character. It complains that owing to the import of wares "fully wrought and ready made to sale" the "artificers cannot live by their misteries and occupations as they have done in times past, but diverse of them, as well householders as hirelings and other servants and apprentices in great number be this day unoccupied and *under Edward IV.*

[1] *Paston Letters*, III. 166.
[2] 33 H. VI. c. 5.
[3] 22 Ed. IV. c. 3.
[4] 1 R. III. c. 9.
[5] 3 Ed. IV. c. 3.

A.D. 1399—1461. do hardly live in great misery, poverty and need," and it proceeds to prohibit the introduction of a very miscellaneous assortment of finished goods[1].

A.D. 1463. *Parliamentary recognition of the craft gilds.* The wardens of the various misteries in towns where they existed were to have the right of search to aid in executing this statute, and their powers were extended so that they might search in adjoining towns and villages where there were no wardens of their own craft. It is a curious feature that the prohibition did not extend to the sale of "goods taken upon the sea without fraud or collusion or that come into the realm by way of wreck." Similar prohibitions were A.D. 1484. enacted by Richard III.[2], and there is every reason to suppose that this protective policy was worked with some success, for towards the close of the fifteenth century we begin to hear of an incursion of Italian artisans to reside and exercise their callings, but not to settle in England[3]. Parliament prohibited

[1] Woollen Caps, Woollen Cloth, Laces, Corses, Ribbands, Fringes of Silk and Thread, Laces of Thread, Silk Twined, Silk in any wise embroidered, Laces of Gold, Tyres of Silk or Gold, Saddles, Stirrups or any Harness pertaining to Saddlery, Spurs, Bosses of Bridles, Anndirons, Gridirons, any Manner of Locks, Pinsons, Fire Tongs, Dripping Pans, Dice, Tennis Balls, Points, Purses, Gloves, Girdles, Harness for Girdles of Iron, Latten Steel, Tin or of Alkemine, anything wrought of any Tawed Leather, any Tawed Furrs, Buscans, Shoes, Galoches, or Corks, Knives, Daggers, Woodknives, Bodkins, Sheers for Taylors, Scissors, Razors, Sheaths, Playing Cards, Pins, Pattens, Pack Needles, or any Painted Ware, Forcers, Caskets, Rings of Copper or of Latten Gilt, or Chaffing Dishes, Hanging Candlesticks, Chaffing Balls, Sacring Bells, Rings for Curtains, Ladles, Scimmers, Counterfeit Basons, Ewers, Hats, Brushes, Cards for Wool, blanch Iron Thread commonly called White Wire. 3 Ed. IV. c. 4.

[2] 1 R. III. c. 12.

[3] "IV. Moreover a great number of artificers and other strangers not born under the king's obeysance, do daily resort and repair to the city of London, and to other cities, boroughs and towns of the said realm, and much more than they were wont to do in times past, and inhabit by themselves in the said realm with their wives, children and household, and will not take upon them any laborious occupation, as going to plough and cart, and other like business, but use the making of cloth and other handicrafts and easy occupations, and bring and convey from the parts beyond the sea, great substance of wares and merchandises to fairs and markets, and all other places of this realm at their pleasure, and there sell the same, as well by retail as otherwise, as freely as any of the king's subjects use to do, to the great damage and impoverishment of the king's said subjects, and will in no wise suffer nor take any of the king's said subjects to work with them, but they take only into their service people born in their own countries, whereby the king's said subjects for lack of occupation fall into idleness, and be thieves, beggars, vagabonds, and people of vicious living to the great perturbance both of the king and of all his realm; and when the merchants, artificers and strangers before rehearsed have gained within this realm, by buying

artificers who came from abroad from exercising their crafts as independent householders, or as employers; they were to engage themselves as "servaunts unto suche of your subgietts oonly as ben experte and connynge yn suche Fetys, Crafts and Werkes as the seide Straungiers can occupie." Alien artificers[1], already established in the country, were only to sell by gross and not by retail, and only to take the king's subjects for their servants. There is indeed one interesting exception to this prohibition; the act was not to be prejudicial to any "Artificer or Merchant Stranger, of what Nacion or Countrey he be or shall be of for brynging into this Realme or selling by Retaill or otherwise of any manner of Bokes wrytten or imprynted or for the inhabitynge within the said Realme, for the same intent, or to any writer, lympner, bynder or imprynter, of such bokes as he hath or shall have to sell by wey of Merchandise, or for their abode in the same Reame for the exercising of the said occupacions." A.D. 1399—1461.

126. The preceding paragraphs show that there had been a very great increase in the trading connections of the country since the time of Edward III., and considerable attention was directed to questions connected with the media of exchange. There was not however any fresh departure from the lines laid down under Richard II.[2]; aliens were still to expend half their money in goods though they might take the rest in bullion[3]; but before long this permission was rescinded[4] and they were required to expend the whole of *Money and bullion.* A.D. 1401.

or by such easy occupations and handicrafts, great substance of goods, with the same substance they go out of this said realm to such parts beyond the sea as liketh them best, and there spend the same goods, oftentimes among the king's adversaries and enemies, to the great damage of our sovereign lord the king and his subjects, and impoverishment of this realm and the commons of the same, and so by occasion of the premisses, the substance of the inhabitants in the said cities, boroughs and towns now late hath fallen, and daily doth fall into great poverty and decay, to their great undoing, unless the king's gracious aid be to them in this behalf showed."

In answer to this petition aliens were restrained from exercising handicrafts, and were compelled to sell their goods in gross, and within eight months from landing, and restrained in other ways. 1 Richard III. c. 9.

[1] Of these the number must have been considerable; in 1436 no fewer than 1738 aliens, dwelling in different counties, were naturalised. Rymer, *Fœdera*, x. 637.

[2] See above, p. 395.

[3] 2 H. IV. c. 5.

[4] 4 H. IV. c. 15.

A.D. 1399 —1461. their moneys, saving only their necessary expenses, on the commodities of the realm. Severe restrictions were also put upon their dealings with one another; and houses were to be assigned for their residence where they might live with A.D. 1403. sufficient hosts[1]. This statute is chiefly remarkable for the clause which renders it felony to multiply gold or silver or use the craft of multiplication[2].

Recoinage. Henry V. framed a complete code of regulations in connection with an attempted reformation of the gold coinage; he ordained that the clipped and worn coin should only be accepted by weight, and endeavoured to induce the public A.D. 1421. to bring in their money to be recoined[3]; they were to pay seignorage of 5*s.* on the Tower Pound of gold, and fifteen pence on the pound of silver[4], and to receive the money recoined in eight days[5]; all the gold in the hands of the exchange was to be brought for coinage also[6]. At the same time he extended the time which was allowed to the Pope's Merchants to export goods to the value of their bills, from three months to nine; as they complained that they could not bind themselves to carry out the terms of their bonds within the A.D. 1423. shorter time. In the reign of Henry VI. a new step was taken, and aliens were required to give sureties from their companies that they would not export gold; the same measure contains a noticeable exemption, for it permits the exportation of gold for the ransoms of English prisoners[7].

[1] On this system compare Cunningham, *Alien Immigrants*, 93.

[2] 5 H. IV. cc. 4, 9. This was suspended by Henry VI. in favour of philosophers who undertook to transmute metals for him. *Fœdera*, XI. 128, 240.

[3] 9 H. V. st. I. c. 11.

[4] 9 H. V. st. II. c. 1; compare 2 H. VI. cc. 15, 16.

[5] But the royal exigencies rendered this condition nugatory: see the complaints *Rot. Parl.* IV. 101 (17).

[6] The business of the Exchange was still organised in the old way and let out to individuals for a period of time (see above, p. 283). There were complaints from time to time as to the way in which this duty was discharged (e.g. John Van, *Rot. Parl.* I. 293, No. 23; Hugh Bryce, *Rot. Parl.* V. 634, No. 42), and at the accession of Henry IV. the officers of the Exchange were specially exempted from the general pardon. *Rot. Parl.* IV. 7 a. In 1464 the office was granted to "Master William Hatteclyf our Phisicion and Moreys Burghill," on a payment of £20 yearly "as it was laten to ferme beforn, and £10 over of encrese by yere." *Rot. Parl.* V. 529 b. In Henry VII.'s reign it was let for a similar sum (£30. 6*s.* 8*d.*) to Fox. *Rot. Parl.* VI. 377 b. The charge on exchange was one halfpenny on every noble. *Rot. Parl.* V. 635, No. 43.

[7] 2 H. VI. c. 6.

The evils could not be easily prevented however; the precious metals were so scarce in Europe at this time, that all nations were making similar regulations in the vain effort to retain them[1], while they were being extravagantly used for purposes of adornment and display; and Edward IV. increased the penalties by rendering the export of bullion felony, in the hope of averting "the impoverishing of the Realm, and final destruction of the Treasure of the same Realm[2]." He also enacted that merchants of the staple should insist on immediate payment, and that half their receipts should be in the form of money or bullion and should be sent within three months to the mint[3]. While a political motive may just be detected in the foregoing regulations with regard to treasure, a similar intention stands out in clear relief in the measure which insisted on the importation of bow staves[4]. Richard's statute in 1483 is particularly curious, as it combines the diverse objects of providing for the defence of the realm and encouraging a body of native artisans. "Mekely shewen unto youre discrete wisdom youre besechers the Bowyers inhabitant within Citeez, Burghes and Villages of this noble Realme of Englond, occupying Artillary to theym belonging for the sure tuicion and defence of the seid Realme, that where in tymes past goode and hable stuff of Bowestaves as well by Englishe Merchaunts as by Straungiers hath been brought into this said Reame, by the which the said inhabitaunts Artillers myght competently live upon suche Stuff as they then bought of Bowestaves at xl*s.* the C, or xlvi*s.* and viii*d.* atte mooste. It is so nowe, that by the subtile meanes of Lumbards useing to diverse Portes in this Realme, the Crafte of Bowiers aforesaid is sore mynnushed and likly to be uttirly undone, and therby the londe greatly enfebled to the greate Jeopardie of the same, and the greate comforte to the

A.D. 1399—1461. *Scarcity of bullion in Europe.*

A.D. 1478. *Political importance of Treasure*

A.D. 1463

A.D. 1472

and of artillery.

[1] Schanz, *Englische Handelspolitik*, I. 483.

[2] 17 Ed. IV. c. 1. This seems to imply a recognition of the two distinct objections which were urged by mercantilists, (1) to draining the country of coinage as an inconvenience to the public, and (2) diminishing Treasure as a political danger.

[3] 3 Ed. IV. c. 1.

[4] Four with every ton of goods, 12 Ed. IV. c. 2, and ten with every butt of wine, 1 R. III. c. 10; both enactments are specially directed against Italians.

A.D. 1461 —1485. Enemies and adversariez thereof." They continue to point out that bowstaves are now sold at four times the old price, and that they are sold unsorted, good and bad alike, at this outrageous price. While the political motive lies in the forefront, the statute is interesting as being an early case of legislation for the import of the raw materials needed in a branch of manufacture.

IV. Industry and Internal Trade.

The manufacture of cloth.

127. There is abundance of evidence to show that the manufacture of cloth had increased with such extraordinary rapidity, that it had grown to be a very important trade. English wool was still sought after by foreigners[1], but much was retained at home; the customs from wool were declining[2] while commerce was expanding fast; and in the notices of trade, as well as the complaints about pirates, we find that cloth, and not merely wool, was an ordinary English export. The manufacture had its chief centre in the eastern counties, but it was really diffused throughout the length and breadth of the country, as we may gather from the various statutes which were intended to regulate the production. The aulnager held an ancient office, as it existed in the time of Edward I.[3]; it was his duty to visit the fairs and presumably to try to enforce the one measure of cloth which had been established for the kingdom[4]. His office gave great opportunity for fraud and there are frequent complaints of 'covin' between dealers and aulnagers, to the hurt of the public[5]. The attempt to enforce one measure for the whole country was discarded in favour of the makers of Cogware and Kendal cloth, in divers counties[6]: and from

The aulnager.

A.D. 1380.

A.D. 1390.

[1] On the project of opening a staple for wool at Pisa see below, p. 493.

[2] From £68000 in the time of Edward III. to £12000 in 1448, at Calais. 27 H. VI. c. 2. See also Ramsay, *Lancaster and York*, II. 257.

[3] Perot le Taillour forfeited the office and Pieres de Edelmeton was installed in his place and took the oaths. Madox, *Exchequer*, 538. See also *Rot. Parl.* I. 292 (18) and II. 28 (50).

[4] Magna Carta (9 H. III. c. 35).

[5] 3 R. II. c. 2; 17 R. II. c. 5.

[6] 13 R. II. st. 1. c. 10. They were allowed to make these sorts of cloth of the

the same statute[1] we learn of such abuses in the manufacture in Somerset, Dorset, Bristol and Gloucester, that the merchants who took them abroad were imprisoned, and in danger of being killed. The Essex custom, of selling cloths opened, so that the buyers might examine them, was put in force more generally. A few years later greater scope was given for the varieties of local manufacture, as any one was allowed to make cloth of the length and breadth he liked, so long as it was measured by the king's aulnagers and sealed to show what it really was[2]; but this liberty was abused and subsequent statutes defined the exact sizes to which cloths of different sorts should be made[3]. Worsteds were made in Norfolk, Suffolk and Cambridge, of four different dimensions, and the oversight of these counties was assigned to the eight wardens chosen at Norwich[4]. The making of broad-cloth was also carried on in East Anglia and Essex[5]; London was known as a centre for manufacture[6], as well as for sale, early in the fifteenth century, and towards its close[7], we hear of the cloth industry at Salisbury and Winchester.

A.D. 1461—1485. *West of England.* *Essex.* A.D. 1394. *East Anglia.* A.D. 1467.

The manufacture was evidently extending to different localities, and as the hands became more skilled, an increased variety of articles was produced; though high-priced and, presumably, fine cloths were still imported[8]. The variety was partly due to the quality of the wool grown in particular districts, and on this account the practice of mixing flocks with the cloth was permitted in certain parts of Devonshire, though it was forbidden elsewhere[9]; but in other cases, increasing skill was doubtless able to meet varieties of taste. The statute of Richard III. which defines the sizes of the ordinary cloths, broad-cloths, straights, and kerseys,

Varieties of quality. A.D. 1484.

usual breadth of three-quarters of a yard. This, one may notice, is the Flemish ell of 27 inches (Toulmin Smith, *Gilds*, Winchester, p. 351 n.), and the practice may possibly point to a Flemish origin of the species of manufacture.

[1] 13 R. II. st. 1. c. 11.
[2] 17 R. II. c. 2.
[3] 11 H. VI. c. 9, and statutes recited there.
[4] 7 Ed. IV. c. 1.
[5] 8 Ed. IV. c. 1.
[6] 4 H. IV. c. 6.
[7] 1 R. III. c. 8.
[8] 4 Ed. IV. c. 1. The French Herald appears to admit that more cloths are made in England but insists that far finer cloth is made in France. Pyne, 80.
[9] 7 Ed. IV. c. 2.

A.D. 1461—1485. yet enumerates some half-dozen additional sorts to which it did not apply[1].

A.D. 1465. By far the most complete picture of the cloth manufacture in the fifteenth century is furnished by a statute of Edward IV. The preamble makes the usual complaint of bad workmanship, and alleges that English cloth was falling into disrepute abroad; the statute regulates the whole business in all its details. The size of cloths of different sorts, the modes of sealing good cloths, imperfect cloths and half cloths were all ordained, and full discretion was given to appoint a sufficient number of officers to attend to these duties. The long list of officials charged with powers under this act gives proof that the trade was carried on alike in towns and rural districts, and that mere municipal supervision could no longer prove effective. The whole act serves to show that there was a very complete system for the national regulation of the chief industry of the country, and that this system was chiefly enforced by the action of a royal official and his agents.

National Regulation.

The existence of such national supervision was unfavourable to the maintenance of a system of local regulation by means of craft gilds[2], though in Norfolk and other places the local gilds were used as instruments for exercising parliamentary control[3]. The craft gild was an association of householders to whom the supervision of the trade in their own locality was officially entrusted; and the granting of parliamentary recognition to any of these gilds would tend to perpetuate this domestic type of industrial organisation. When authoritative regulation was exercised over craftsmen by outside officials, there was less obstacle to the introduction of new forms of business organisation. We can see that in the fourteenth and fifteenth centuries, the moneyed men with capital were coming to take an active part in the clothing trade, and that in the arrangements they made for the conduct of business, the household no longer served as the unit for purposes of trade regulation, as it had done in the ordinances of craft gilds. As early as 1339[4] we find that Thomas

[1] 1 R. III. c. 8.

[2] For an excellent illustration from the organisation for searching cloth in Coventry in 1518 see Miss D. Harris's *Life in an Old English Town*, 251.

[3] See below, pp. 141 and 513. [4] Rymer, *Fœdera*, II. ii. 1098. Ashley, I. ii. 202.

Blanket of Bristol, who came of an important family there, was setting up looms and causing workmen to be hired to carry on the trade; whilst a few years later, certain merchants had their cloths fulled in villages round about the city to the disadvantage and discredit of the Bristol fullers[1]. This class of capitalist employers might be recruited from different sides; it might consist to some extent of those who bought up the wool[2] used as material, and let it out to workmen to weave into cloth; it might be drawn, as Professor Ashley[3] points out, from a class of manual labourers like the shearmen who finished the cloth, and began to trade wholesale in the product when thus ready for the market; or it might be that drapers, who dealt wholesale in cloth[4], and tailors, who made goods out of cloth[5], began to employ workmen in the manufacture. By whatever steps a man rose to be a capitalist, those whom he set to work would become economically dependent, and the small masters in a trade he organised approximated to the position of journeymen. Personal supervision by an employer was more effective than gild regulation[6], and capitalistic management was compatible with increasing division of labour and with the introduction of machinery. The signs of progress in equipment are an additional indication that the industry was being conducted on a large scale; and the confused story of the trade organisations of the time becomes more intelligible when we view them as incidents in this transition; on the one hand we have associations of capitalists, connected with the manufacture, but engaged in wholesale trading; while on the other, there are

A.D. 1461 —1485.

Capitalist employers.

Division of Labour.

[1] *English Gilds*, 285.

[2] Ashley, *Ec. Hist.*, I. ii. 227. 4 Ed. IV. c. 1, and 3 H. VIII. c. 6.

[3] Ashley, *Ec. Hist.*, I. ii. 211. The proclamation of 1364, conferring a charter on the Drapers' Company shows that artisans, as we should call them, were engaging in the cloth trade. It orders that "Each of the mysteries of tenterers, letters and fullers confine themselves to their own mysteries, and in no manner intermix themselves or interfere with the making, buying or selling of any manner of cloth or drapery on pain of imprisonment." Herbert, *Livery Companies*, I. 400.

[4] Political Poems, R. S., II. 285. Armstrong's *Sermon*, p. 65.

[5] Their ordinances show that the tailors of Bristol were skilled artisans who could cut out in 1401, but that they claimed to engage in the trade of dealing in cloth as an ancient usage in the time of Charles I. Fox, *Merchant Taylors of Bristol*, pp. 32, 86.

[6] Compare Vol. II. p. 499.

A.D. 1461 —1485.

struggles to maintain, under the new conditions, regulations similar to those which had been in vogue under the old order. The statute of 1465 already referred to, indirectly indicates that the influence of capital had made itself felt on every side, and that the industry was carried on in those forms which survived till a century ago when the invention of machinery

Clothiers.

brought about the Industrial Revolution[1]. Clothiers delivered the wool to the spinners, carders and other labourers by weight, and paid them for the work when it was finished[2]; but apparently they perpetrated frauds on the labourers, in delivering the wool, and by forcing the labourers to take a great part of their wages in pins, girdles, and other 'unprofitable wares.' This appears to be the earliest act against truck; it ordains that for the future payment shall be made in true and lawful money. The various employments, which were combined in the manufacture of cloth,—as carders, spinners, weavers, fullers, shearmen and dyers[3],—are distinguished, and the duties of the fullers described with great precision. Among subsidiary employments connected with the preparation of cloth, the dyers seem to have occupied a prominent place. At Coventry in particular they seem to have been a powerful body[4]; and defective dyeing with materials that faded or of cloth not properly prepared was especially condemned by statute in 1484[5].

Subsidiary employments.

Materials.

A.D. 1463.

Considerable care was taken that English workmen should be well supplied with raw materials; Edward IV. rearranged the regulations for the staple with the intent that "sufficient plenty of wool might continually abide and remain in the realm, and might serve for the occupation" of clothmaking, in all its various branches[6], while he prohibited any bargains for the clip of wool before the sheep were shorn, in any of the southern counties where the clothing trade chiefly lay[7].

[1] A good description is given in the Report on the Woollen Manufacture, *Commons Journals*, LXI. 696, and *Reports*, 1806 III. Compare also Mrs Green's remarks on Norfolk. *Town Life*, II. 105 n.

[2] This type of industrial organisation was probably not universal even in the West of England. According to Westcote (*View of Devonshire in* 1603, p. 61) the farmers sold wool to spinners, who sold yarn to weavers, who sold the cloth to clothiers.

[3] 4 Ed. IV. c. 1. [4] *Rot. Parl.* IV. 75, No. 21. [5] 1 R. III. c. 8.

[6] 3 Ed. IV. c. 1. [7] 4 Ed. IV. c. 4.

On the other hand we do not hear of such restrictions on the export of fuller's earth, teasels and other agents in the manufacture, as had been in vogue in its early days under Edward II.[1] Parliament had apparently endeavoured to preserve the English breed of sheep[2] but Edward IV. is commonly charged with less care in this matter, and it is said that the breed of Spanish sheep was greatly improved in consequence of a present of rams sent by him to the king of Aragon[3]. There were also endeavours to keep the whole of the process of manufacture in the country, and prohibitions of the export of 'thrums'[4] and woollen yarn[5]. A.D. 1461–1485. A.D. 1429.

Whether the rapid development of the industry was the reason why it attracted capital, or whether the introduction of capital led to its rapid growth, or how far these conditions reacted on one another, it is hardly possible to say. The fact remains, that while there was stagnation or retrogression on so many sides of economic life, the one industry, which was already organised on modern lines, was flourishing greatly; it affords one of the few redeeming features in the gloomy story of the fifteenth century. The beautiful buildings which perpetuate the somewhat gaudy taste of the prosperous classes at the time are so striking, that we may easily exaggerate their testimony, and argue that the century which produced them was a time of general prosperity[6]. That this is a hasty and onesided inference has *Social condition.*

[1] Riley, *Memorials*, 149, 150. See Appendix.

[2] 3 H. VI. c. 2. This was partly intended to prevent frauds on the revenue by exporting live sheep to shear them in Flanders (Pyne, *Debate of Heralds*, 544), but it had also reference in all probability to the preservation of the English breed which was at all events believed to be superior. Ashley, *Woollen Manufacture*, 70 n.

[3] Smith's *Chronicon Rusticum*, I. 69. Eden (*Hist. Poor*, I. 88) gives a case of the exportation of English sheep to Spain in 1350. See above, p. 314.

[4] The threads left unwoven at the end of a piece of cloth.

[5] 8 H. VI. c. 23.

[6] Professor Thorold Rogers regards the "fifteenth century and the first quarter of the sixteenth," as "the golden age of the English labourer" (*Six Centuries*, 326). He is followed by Gunton (*Wealth and Progress*, 137) and Hyndman (*Historical Basis of Socialism*, 1), who doubts "whether any European community ever enjoyed such rough plenty as the English yeomen, craftsmen and labourers of the fifteenth century." This view rests entirely on the interpretation of prices, and especially on *the assumption that employment was constant*, and that the labourer's income is fairly represented by 300 times his daily wages (Rogers, *Agriculture and Prices*, IV. 755); it is hardly necessary to observe that accounts made out for times when

A.D. 1461—1485. been already shown; but on the other hand it would be a mistake to ignore the fact that the rich clothiers, and others were able to spend large sums on building; the distribution of the finest examples of Perpendicular Architecture in England coincide closely though not exactly with the areas where the clothing industry was planted[1]. There is also good evidence that there was, in other districts, a decay of tillage and lack of rural employment[2], during this century[3], and many of the towns were impoverished too. The frequent complaints which led to exemption from taxation, the preambles of the Yorkist statutes, as well as the narration of the gild difficulties, show that there was much suffering in towns in all parts of the country. But while tillage was decaying, and some towns were becoming impoverished, the wealth of the clothiers was increasing; the rates of payment they offered would suffice to keep up the rates of wages for agriculture, and to increase the difficulty of carrying on tillage with hired labour; boys and girls who had opportunities of learning some branch of the textile trade were authoritatively forced to labour in the fields[4]. We may thus

Decay of tillage

and of many towns.

Development of cloth manufacture.

work was going on, are not evidence as to the frequency or length of periods when work was not obtainable. Some men worked all through Sundays and holidays and worked extra hours to complete a piece of work, but this does not help us to guess how far employment was constant.

[1] This can hardly be regarded as conclusive however; King's College Chapel and monastic buildings which were paid for by wealth drawn from distant estates might be flourishing, while the lay inhabitants of a town were much reduced in numbers and wealth. The building of Great S. Mary's at Cambridge dragged over many years (Fuller, *History of the University of Cambridge*, VI.), and was only accomplished by persistent begging for subscriptions; as a matter of fact these buildings must have been going on at the very time when the town obtained exemption on the ground of poverty in 1472, and again in 1489 (*Rot. Parl.* VI. 438). On the other hand the great Suffolk churches like Lavenham and Long Melford were erected by the munificence of successful clothiers.

[2] Denton, *Fifteenth Century*, 94. The authors of that invaluable storehouse of facts, the *Annals of Commerce*, also speak decidedly: "the manufactures and commerce of the country were grievously depressed and their advancement retarded." Macpherson, I. 609.

[3] Professor Thorold Rogers calls attention to it as a matter of importance in "the later years of the sixteenth century" and notes that the complaint is found "as early as" 6 Henry VIII. c. 5; but it had attracted attention in parliament long before that time. He apparently holds that the enclosing of the fifteenth century was not made at the expense of tillage (*Agriculture and Prices*, IV. 63. 64 n., 109).

[4] 12 R. II. 5; 7 H. IV. c. 17.

find in the growth of the clothing trade, a solution of the apparent contradictions spoken of above. For some of the rural population the fifteenth century was a time of abundance; not because agriculture was flourishing, but because of the reaction of the development of the clothing trade upon rural life. By way of contrast we may note that the close of the eighteenth century was a time of great misery—not merely because agriculture was in difficulties, but because the domestic industries were giving place to the factory system. A.D. 1461–1485.

128. Phenomena somewhat similar to those which have been described in connection with the cloth manufacture, may be observed in other trades, though they operated in a different fashion. Parliament interfered to exercise a national control over various branches of industry; but in doing so, it did not set the gilds aside, but acted through them and used them as the instruments of national authority[1]. Public attention was given to the goldsmiths'[2] and embroiderers' craft[3], since they were concerned in the use of the precious metals and gold thread. The statute about goldsmiths in the time of Henry VI. recognises their gild as the agency for carrying out the regulations that seemed necessary; each workman was to set his own mark on every article as well as the Leopard's Head which testified to the quality of the metal; and the mark and sign of every goldsmith was to be known to the wardens of the craft[4]. In the time of Edward IV. other craft gilds came to be recognised by statute as the authorities for searching out manufactures illegally imported[5]; they were charged with important public functions, and had power to exercise them outside their own particular town. Such functions could hardly have been undertaken by mere operatives, and there are signs of the existence of employers in various callings. The mason's craft had always been carried on by substantial men, who could undertake a considerable responsibility[6]; but the organisation of this

Royal regulation of cloth trade and of goldsmiths:

A.D. 1423.

authorisation of gilds.

Craft gilds and municipal officers.

[1] Statutory authority was given to worsted weavers in Norwich to elect Wardens (23 H. VI. c. 8, 7 E. IV. c. 1). [2] 28 E. I. c. 20; 37 E. III. c. 7.
[3] 2 H. VI. c. 10. [4] 2 H. VI. c. 17. [5] 3 E. IV. c. 4.
[6] Compare a building contract dated 1412, in Canon Raine's *Catterick Church in the County of York*. On the Masons' craft, see Cunningham, *Western Civilisation*, II. 98 n., 128 n.

A.D. 1461 —1485.

industry lay outside ordinary municipal control[1]. Difficulties arose when any attempts were made by a prosperous man to carry on some municipally authorised branch of industry on capitalistic lines: the whole system became strained. It has been argued above that there is no evidence of a conflict between craft gilds and a merchant class in the twelfth century; but during the fourteenth century a class of wealthy burgesses had come into being and there is reason to believe that there was a divergence of interest between them and the manual labourers in their crafts. If Professor Ashley's supposition is correct, and the Coventry shearmen took up the business of dealing in cloth, then the frequent and partially successful efforts of the fullers to separate from the shearmen and form their own gild[2], may be interpreted as an attempt on the part of craftsmen, both masters and journeymen, to retain economic independence. There is reason to believe that towards the middle of the fifteenth century there was a considerable increase in the population, unaccompanied by any great improvement in the means of production[3], and consequently a relative overpopulation in several European countries; and there can be little doubt that this was the case in English towns at all events. The alleged exhaustion of the soil[4] and the prevalence of sheep-farming were at all events incompatible with any great increase in the food-supply, while there was a tendency for the rural population to move into the towns. The frequent complaints of poverty and lack of employment, which led eventually to stringent measures against foreign competition, confirm the evidence from other sources to show that the gilds were being overstocked with journeymen who could hardly hope to attain the position of householders and employers. In the callings where the old organisation was effective there was an

Merchants and Craftsmen.

Development of cloth manufacture.

Emigration of

[1] Iron smelting was also extra-municipal, and it seems to have been carried on by employers and wage-earners. Lapsley, *Account Rolls of a Fifteenth Century Iron-master*, in *English Hist. Review*, XIV. 509.

[2] In 1448 and subsequently. W. G. Fretton, *Memorials of Fullers' or Walkers' Gild of Coventry*, 1862. O.

[3] Schmoll made a *historische Entwickelung des Fleischconsums in Deutschland* centur 61 u., Tübingen *ft für die gesam. Staatswissenschaft*, XXVII. 343.

[4] 12 R. II. 5; 7 H. IV

increasing tendency, during the fifteenth century to restrict the avenues by which the freedom to exercise a craft could be obtained[1]; larger fines were demanded on admission[2], while the standard of social qualification for those who were eligible as apprentices was raised. In those trades in which the capitalist interest had become dominant, the small masters appear to have united with the journeymen in trying to maintain the economic independence of manual workers and to secure better terms for them by forming yeoman or journeymen gilds[3]. The movement appears in England at a very early date indeed, as in 1303 the "servant workmen in cordwainery" were forbidden "to hold any meeting or make provision which may be to the prejudice of the trade and the detriment of the common people[4]." The confederacy of masons which was put down by Edward III. appears to have been a joint effort of masters and journeymen to get better terms from the public[5], but among the Shearmen the Black Death seems to have roused a dispute between masters and men[6] in regard to wages. The earliest proclamation recorded in English in the City was directed against "congregations and conventicles[7]"; but it had no effect on the cordwainers who met at the Friars Preachers, and did conspire and confederate to hold together in rebellion against the overseers of the trade. They had given money to a certain Dominican to obtain confirmation to their fraternity from the Pope[9]. Similarly the Saddlers had a yeoman gild, the members of which attended mass once a year, and went when summoned to vigils and masses for dead members of their fraternity; but the masters asserted that under a "certain feigned colour of sanctity" they were really combining to secure excessive wages[10]. The journey-

A.D. 1461—1185. *Condition of journeymen.* *Cordwainers.* *Yeoman gilds.* A.D. 1883 *Saddlers*

[1] Brentano, *History and development of Gilds*, 74. Miss Dunlop has collected much additional English evidence on this point.

[2] See p. 511, below.

[3] Similar gilds attained to great importance on the Continent. Schanz, *Zur Geschichte der deutschen Gesellenverbande im Mittelalter*, 11.

[4] *Liber Cust.* II. 541.

[5] 34 E. III. c. 9, so also 3 H. VI. c. 1.

[6] Riley, *Memorials*, 251.

[7] Ibid. 480.

[8] Ibid. 495.

[9] The journeymen brotherhoods sometimes had a religious character similar to that of the Tertiaries among the Franciscans. Schanz, *Gesellenverbande*, 70 n.

[10] Riley, *Memorials*, 543.

A.D. 1461 —1485. A.D. 1396. *Tailors.*

man tailors too preferred to live together in companies in dwelling-houses by themselves without any superior to rule over them, and their conduct caused a good deal of difficulty to the Wardens, and scandal to the City in 1415[1]. The formation of such combinations in London, even if they had little permanence[2], testifies to dissatisfaction among the workmen, while there is evidence of similar difficulties in at least one provincial centre of trade. At Coventry in the early part of the fifteenth century the masters and journeymen of the weavers' craft came to a formal agreement; its terms serve to indicate the nature of some of the points in dispute. It was agreed that anyone who could use the art freely might have as many looms, both linen and woollen, in his cottage, and also take as many apprentices as he liked; every cottager or journeyman, who wished to become a master, might do so on payment of twenty shillings; while the journeymen were also allowed to have a fraternity of their own, on condition that they paid a shilling a year to the Weavers' Gild for the privilege, and a shilling for every member they admitted[3].

Coventry.

Bristol.

The journeyman tailors of Bristol had wardens of their own and a common chest to which contributions were made for the relief of poor brethren, but the whole arrangement seems to have been under the supervision of the Master and Fraternity of Merchant Tailors[4]. The Bachelors' Company of the London Merchant Taylors consisted of small masters as well as journeymen[5]; Mr Unwin[6] has adduced other examples which seem to show that the London yeomen gilds came to be organisations of small masters, under the general control of the trading elements in the companies.

Introduction of machinery.

Not only do we thus see symptoms of organised struggles between the employer and the employed, but there was also a difficulty arising from the introduction of machinery. This was apparently felt in the cappers' trade in 1376 when a

[1] Riley, *Memorials*, 609.

[2] Webb, *Trade Unionism*, p. 4. It is noticeable, however, that journeymen gilds seem to have existed as important institutions among the plasterers and ...ers in Dublin in the eighteenth century, H. Nelson, *A poem in honour of the Gent society of Journeymen Tailors*, 1726. Brit. Mus. 1890 e, 5 (168), see also 18.0 e, 5 (209).

[3] Coventry Municipal Documents, *Leet Book*, f. 27.

[4] Fox, *Merchant Tailors of Bristol*, 38.

[5] Clode, *Early History of Gild of Merchant Taylors*, p. 60.

[6] *Industrial Organisation*, 60.

question arose as to the use of water-mills, which were said to do the work insufficiently and badly; but still the public bought their caps from the men who used the mills, and the simple folks of the trade were greatly impoverished and at the point of perishing[1]. Despite the prohibition then, members of the craft and others frequently had recourse to the use of these mills[2]. Eventually the matter came before parliament and the use of Fulling Mills was forbidden by statute in 1483[3]. A.D. 1461–1485.

Gilds as monopolies

The gilds were not only in difficulties as to their internal affairs, but in regard to their relations with the public. The weavers' monopoly was a grievance as early as 1321[4]; there had been other difficulties in 1376. The charges in 1437 were more specific, although the grounds of complaint were similar,—that the gilds set the local authorities at defiance, and thus injured the public[5]. This petition called forth an act[6], the preamble of which recites that "masters, wardens, and people of gilds, fraternities, and other companies corporate, dwelling in divers parts of the realm, oftentimes by colour of rule and governance and other terms in general words to them granted and confirmed by charters and letters patent of divers kings, made among themselves many unlawful and unreasonable ordinances, as well in prices of ware and other things for their own singular profit and to the common hurt and damage of the people"; and it goes on to provide that new ordinances shall be for the future submitted to justices of the peace, and recorded by them. There is here a further step in the process of nationalising the craft gilds; on the one hand they were being used by parliament as its agents for regulating trade, while on the other they were being controlled more rigorously by extra-municipal authorities. A.D. 1437.

Even the spirit of monopoly had somewhat changed its character in accordance with the new conditions of the

[1] Riley, *Memorials*, 403. There is an instructive phrase: "which to the advantage of the people cannot be properly and lawfully fulled save through the support of persons skilled in the said trade."

[2] Ibid. 559, 667.

[3] 22 E. IV. c. 5.

[4] Riley, *Lib. Cust.* I. 416.

[5] *Rot. Parl.* IV. 507.

[6] 15 Henry VI. c. 6.

A.D. 1461 —1485. *Conflict with aliens.*

times. In the old days it had been directed against upland men, who, though English, were foreign to the town—in fact against non-residents who did not contribute to the burdens of the town. In the fifteenth century the same feeling was brought to bear on the resident alien. The mercers of Shrewsbury, in the time of Edward IV., made an ordinance against receiving French, Flemish, Dutch, Welsh or Irish apprentices[1]; and the tailors and coopers of Southampton were also at pains to exclude resident aliens from competing in their crafts[2]; they were more particularly exposed to the immigration of Italian artisans which has been already noticed. English capitalists had ousted the aliens from financial business and from internal trade; English merchants were at last holding their own in foreign trade; but under the Yorkists and Tudors the stress of alien competition was borne by English artisans; and the national prejudice[3] gave new force to the local exclusiveness of the craft gilds.

Gilds combining.

The union which took place among many of the gilds in the fifteenth century was probably due to the success of one gild in obtaining ascendancy over allied crafts[4]. It may have been fostered by such social influences as the struggle of Englishmen to hold their own against aliens[5], and the obligation to take part in the pageants which were provided annually in some towns and occasionally in others[6]. The plays at York[7], at Chester[8], and Coventry[9] were performed by the various misteries; Shrewsbury Show[10] was also a magnificent spectacle, which involved a heavy outlay. The wearing of liveries[11] was another extravagance by which the companies rivalled the state of great nobles; and expenses of this sort, even though they testify to the prosperity of the richer crafts, may well

[1] Hibbert, *Gilds*, 64. [2] Davis, *Southampton*, 273, 276.

[3] On protection during this period compare Mrs Green's *Town Life*, I. 71.

[4] Unwin, *Industrial Organisation*, 35. [5] See vol. II. p. 36.

[6] In Norwich the Ridings or processions of the gilds were organised under the authority of S. George's Gild, and occurred three or four times a year (Blomefield, *Norfolk*, II. 97). Latterly several crafts seem to have combined under the same banner on these occasions (Ibid. II. 148).

[7] Miss L. T. Smith (*York Plays*), and Miss Sellers in *Eng. Hist. Rev.* IX. 300. [8] Helsby's Ormerod's *Chester*, I. 380.

[9] *Discourse of Common Weal*, p. 16, l. 18 n.

[10] Hibbert, *Gilds*, 117. [11] Ashley, *Economic History*, I. ii. 127.

have proved a heavy burden to the poorer ones, and accelerated the process of decay. A.D. 1461 – 1485.

On every hand it appears that the gilds were changing their character and were coming more and more, in so far as they were preserved, to be at once the organs of and subject to national regulation; while their exclusiveness was the expression of a national feeling[1]. They were accused of permitting oppression on one side and of being guilty of extravagance on the other. But there was no easy remedy for the mischiefs which were beginning to appear in craft gilds, and which at length called forth the mournful reflections of Clement Armstrong who looked back to the reign of Edward III., when there "were no corporations of no craftes in London nor halles with no constitution and ordinaunces for no syngularities as now is but the Guyldhall[2]."

129. The agricultural policy of these reigns was developed on the lines that had been indicated under Richard II.[3]: but the preambles explicitly state that the statutes were intended to encourage tillage. Those who went in for higher farming and "used manurement of their land." could only get a 'bare price,' and were therefore allowed to export wheat without a license when the price was not more than 6*s.* 8*d.* the quarter[4]; in 1444 this statute was made perpetual, especially for the advantage of the counties on the sea-coast which could not sell the "substance of their corn" except for transport by water[5]. In 1463 the English farmer received another boon[6]; he suffered greatly from the importation of foreign corn, and this was only allowed for the future when the price exceeded 6*s.* 8*d.* per quarter, so that in plentiful harvests he had a monopoly of the home market. These measures offer the most signal instance of the reversal of the policy of Edward III.; that corn and victuals should be plentiful and cheap was quite axiomatic in his time, and the complaints of the doings of alien merchants generally allege that somehow or other they made goods scarce and dear. Wool[7] and cloth[8] were treated differently, as Englishmen

Encouraging tillage.

A.D. 1437.

Freedom to export corn.

Prohibition of imports.

[1] Disabilities on aliens caused the people of Antwerp to migrate to Amsterdam rather than to England in 1585. De Witt, *Political Maxims*, 52.

[2] *Sermons and Declarations* in Pauli, *Drei volkswirthschaft. Denkschriften*, 45.

[3] See above, p. 406. [4] 15 H. VI. c. 2. [5] 23 H. VI. c. 5.

[6] 3 E. IV. c. 2. [7] See above, p. 314. [8] See above, p. 416.

A.D. 1461—1485. wished to sell at dear rates to the foreigner. When we remember the dislike of engrossers and others who raised the price of victuals, it is very strange to find that parliament was willing to pass measures of this kind[1]. One can only suppose that the increase of sheep farming[2], at the expense of tillage and cattle breeding, was going on so fast as apparently to threaten the national food supply.

Pasture farming at the expense of tillage. The first signs of this change have been noted above; it had gone great lengths in the time of Henry VII., and there are isolated notices which show it was steadily progressing. The case of Stretton Baskerville in Warwickshire is a striking example. "Thomas Twyford, having begun the depopulation thereof, in 4 Henry VII. decaying four messuages, and three cottages, whereunto 160 acres of errable land belonged, sold it to Henry Smith, Gentleman. Which Henry following that example, in 9 Henry VII. enclosed 640 acres of land more, whereby twelve messuages and four cottages fell to ruine, and 80 persons there inhabiting, being employed about tillage and husbandry, were constrained to depart thence and live miserably. By means whereof, the church grew to such ruine, that it was of no other use than for the shelter of cattle, being with the churchyard, wretchedly prophaned, to the evil example of others, as are the Words of the Inquisition[3]."

Scarcity of labour. It might at first sight appear strange that while the breadth of ground under tillage was thus decreasing there should be any serious difficulty in finding a supply of labourers well qualified for agriculture, but the renewals of the statutes of labourers show that there was an alarming deficiency. In the time of Henry VI. it was ordained that every servant A.D. 1415. leaving employment must give ample notice so that his master might find some one to take his place[4]. Rates of

[1] Impoverished landlords had the means of redress themselves and were more likely to lay down their land in pasture than to petition parliament for corn laws. See above, p. 404.

[2] It was apparently a common jest with foreigners during the time of Henry VI. to associate the decline of our naval power with the increase of sheep farming. Cachinnant de nobis inimici, et dicunt, "Tollite navem de pretiosa moneta vestra, et imprimite ovem, vecordiam vestram in hoc arguentes." Capgrave, *de illustribus Henricis*, p. 135. See also *Libelle of Englysh Polycye*, vv. 35, 36, *Political Poems*, R. S., II. 159.

[3] Dugdale's *Antiquities of Warwickshire*, p. 36.

[4] 23 H. VI. c. 12.

wages both in town and country are laid down with very great precision for summer and winter, with meat and without it. These are obviously intended to be the maximum rates; since the time of Richard II.[1] the Justices had been empowered to assess agricultural wages twice a year according to the plenty or scarcity of the time so long as they did not exceed the statutable limitations; they had the means of authoritatively lowering wages, when it seemed expedient. Every effort was made to promote tillage by rendering cheap labour available; but the labourers in rural districts must have had diminished opportunities of employment, at carefully restricted rates of pay. Besides this, the frequency of holidays must have made a considerable difference to the wage-earner, since he was only allowed to take a proportionate payment on these days.

A D. 1461 —1485.

Assessment of Wages.

That many mere idlers were kept as retainers under colour of husbandry may have accounted for part of the difficulty of procuring labour when it was needed; but it was most probably chiefly due to the development of the cloth manufacture in rural districts. Children who had served till the age of 12 years at husbandry were to keep to that occupation, and under Henry IV. it became illegal for any but freeholders with 20*s.* per annum to apprentice their children to a trade[2]. But while this had little success so far as husbandry was concerned it checked the development of, and indeed did positive injury to, chartered towns. The citizens of London (8 H. VI. c. 11), and later those of Norwich (11 H. VII. c. 11), were exempt from its operation. The citizens of Oxford were not so successful in their appeal; they complained of the

Attraction of the cloth manufacture.

A.D. 1450.

[1] 13 R. II. st. ii. c. 8. Allusion was made to this attempt to regulate wages in accordance with prices in the first edition of this book, p. 194. I had mistakenly supposed that it was a mere paper proviso and omitted all reference to it in the second edition; but Miss McArthur has shown (*English Hist. Review*, IX. 305) that the assessment of wages formed one of the well-recognised duties of the Justices of the Peace under Henry VII. and Henry VIII. It is therefore evident that the system of assessing wages was intended to operate along with the limitations fixing a maximum wage. The change introduced by the Elizabethan Act (5 El. c. 4) was the removal of the upper limit; it did not introduce new machinery or impose a new duty on the Justices (though it did impose penalties if they neglected the duty) but it removed the old limitation, so that they could fix wages at as high a rate as they thought desirable. See vol. II. p. 38.

[2] *Rot. Parl.* v. 205 (3).

A.D. 1461–1485. heavy ferm they had to pay to the king, and urged that when it was fixed the town was fully inhabited with merchants, artificers and lay people; in consequence of the statute they could not obtain apprentices for different crafts, and could neither meet the royal charges, nor serve and please the clergy and university that is there[1]; they claimed to have their ancient liberty in the matter, such as the people of London[2] enjoyed. We are forced to believe that a development of manufacturing was causing a demand for the services of labourers, and that the measures which had been intended to promote tillage hindered the towns from obtaining the benefit of the increasing trade.

Decay of roads. 130. The break-up of the manorial system, the decline of tillage and the paucity of agricultural labour[3] soon came to affect the internal communication in the country, and the roads and bridges were not properly maintained. There were some public-spirited individuals who gave attention to the matter, and a fourteenth century stone bridge was built to replace the wooden one at Rochester[4]; but on the whole it seems that care for internal communication diminished with the declension of manorial courts, and still more through the impoverishment of the monasteries which had done much for the maintenance of roads. Professor Thorold Rogers has connected the complaint of bad roads with their disruption[5], but it may certainly be traced back to the time of their

A.D. 1536. decline. The monasteries had difficulty in adapting themselves to the conditions of money economy[6], and in some cases

[1] *Rot. Parl.* v. 205 (3). [2] Under whose customs they lived. See above, p. 224.

[3] The care of roads had fallen on the villains under the supervision of the Manorial Courts. Denton, *Fifteenth Century*, 173.

[4] Rochester Bridge "was built in the time of Richard II. by that great warrior Sir Robert Knollys and Sir John de Cobham. The old bridge had been of wood and stood near the castle. It consisted of nine piers. The repair of the arches was allotted to different people; for example—the Archbishop had care of the fifth and ninth pier, the Bishop of Rochester of the first, the king of the fourth. Gillingham, How and other manors and lands had the care of the remaining, which by their tenures they were bound to support." Pennant, *Journey from London to Isle of Wight*, i. 73. Catterick Bridge, the contract for the building of which still survives, was erected in 1425. Murray's *Yorkshire*, 323.

[5] *Agriculture and Prices*, iv. 114, 217.

[6] The monasteries had no capital for the development of industrial or mining enterprise (Savine, in *Oxford Studies*, i. 124), and they bargained to obtain payments in kind from leaseholders on the domain lands, even after the customary

their resources were dissipated through the bad management of an abbot[1], and many of them were much impoverished at the time of the dissolution. The roads suffered, because the institutions which had been accustomed to do repairs lost their resources, and no one else had sufficient public spirit to take up the matter in earnest. There were occasional benefactions for the purpose; a London alderman left for "the repair of the highway without Bishopsgate 5 marks and for the highway without Aldgate 100 shillings[2]." In Reformation times the Bishops regularly enquired at their visitations as to the manner in which such bequests had been expended[3]. But when a great town like London was dependent for repairs of the leading highways on private munificence[4], we can easily guess how much the rural districts were neglected in such hard times.

A.D. 1461—1485. A.D. 1450. A.D. 1469.

Decay of fairs.

The bad condition of the roads must have reacted on the internal trade of the country, and was alleged as a reason for the decay of some of the fairs. In 1391 the burgesses of Cambridge complained that on account of the mire on the king's highway, men withdrew themselves and their merchandise from Reach Fair[5]. There were also other causes at work which brought about the decline of fairs; a large number of grants for new fairs[6] were given in the fifteenth century, and the competition of these new centres must have affected the prosperity of the old centres of trade. Thus a fair was set up at Bristol, and this interfered with the trade in cloth which had been previously done in the fair at Bath[7].

services had been commuted for money (Ibid. 164). A supply of corn, rather than of money to buy corn, was also preferable in Elizabeth's time for the maintenance of the Oxford and Cambridge Colleges. 18 El. c. 6. Kennett, *Parochial Antiquities*, 605.

[1] S. Mary's, Alcester, *Rot. Parl.* v. 206 (5); S. Andrew's, Northampton, *Rot. Parl.* VI. 434 (35). Bath, Leadam, *Select Cases from the Star Chamber*, lxxxii.

[2] Orridge, *Illustration of Jack Cade's Rebellion*, 8. [3] Denton, 175.

[4] Similarly the town of Bristol could not repair the streets, not for lack of money so much as because they had not the necessary powers. *Rot. Parl.* VI. 390 (9). [5] Cooper, *Annals*, 1391, p. 139.

[6] A. Law, *Town Life* in *Economic Review*, IV. 385; an article to which I am indebted for several references. These new fairs might be convenient for the sale of country produce, as are the numerous fairs in Ireland now; when trade was so much distributed, no one mart would be important enough to attract aliens.

[7] *Rot. Parl.* II. 317 (141). Compare the decay of the weekly market at Richmond (1438) through the establishment of markets at Masham, Bedale, and Middleham. G. H. de S. N. Plantagenet-Harrison, *Yorkshire*, I. p. 33.

A.D. 1461—1485. It is possible that at a time when social disturbance was rife, the Government looked with some suspicion on these great gatherings of people, who could not be effectively controlled. In 1394 the king commanded the sheriffs to attend Barnwell fair in person, and to make proclamation against any illicit conventicles or congregations, secret or open, which might lead to a breach of the peace[1]. Whatever the causes may have been which co-operated to produce this result, there can be no doubt that the great fairs, which had attracted merchants from all parts of Europe, were declining in importance.

Boston. The fairs of S. Botolph at Boston and of S. Giles at Winchester had been two of the principal events of the commercial year in 1327[2], when the skinners of London obtained a right of search with regard to the sale of furs throughout the kingdom. It had been the custom in London to put off the Husting at the time of Boston fair; but in 1416 it was alleged that 'the holding of the fair had entirely ceased for many years, and that there was therefore no excuse for interrupting the usual course of legal business in London[3].' S. Giles's fair[4] was also greatly reduced in 1471[5]; and a statute of 1478 seems to show that the evil was general, and that trade no longer centred at these great annual marts. The courts of Pie powder were, like all other local jurisdictions, working badly. Complaint was made that the stewards and bailiffs were inclined to take cognisance of matters over which they had no jurisdiction, and to misuse their powers for the private advantage of their friends; these malpractices were said to be the reason of the decline of some of the fairs[6].

Winchester.

A.D. 1478.

The restrictions on town trade which had been imposed

[1] Cooper, *Annals*, 142. In the xviiith century May Fair was complained of as a centre of disorder, and Bartholomew Fair was limited on the same grounds. *Reasons for suppressing the yearly fair in Brook Field* (1709).

[2] Riley, *Memorials*, 154. [3] Ibid. 657.

[4] For a brief period after 1456, in consequence of disturbances in London, the Italian merchants ceased to frequent that city, and resorted to Southampton and Winchester instead. Kitchin, *Winchester* (Historic Towns), 175.

[5] Kitchin, *Charter for S. Giles's Fair* in *Winchester Cathedral Records*, p. 23.

[6] 17 Ed. IV. c. 2. The fair was less frequented, so the Lords lost the tolls and the public were not so well served with goods. 1 R. III. c. 6.

in the interest of the fairs had been grievances of long standing[1]; and it might have been supposed that the decline of the fairs would react favourably upon the prosperity of the towns. That this occurred to some extent is likely enough, but there is no reason to believe that the business which had been done at a provincial fair was transferred to a neighbouring town. It is more probable that the decline of provincial fairs favoured the development of London, and possibly of some other centres of trade. The aliens who had frequented S. Giles's fair did not transfer their business to Winchester; and in the time of Edward IV. the men of the Hanse withdrew from Boston[2]. It is probable that the towns had gained from the concourse of people in their neighbourhood much more than they lost from restrictions on their ordinary business, and that the decline of the fairs reacted prejudicially on the prosperity of provincial towns. Despite the wealth and extravagance of the capitalist class in many places, the fifteenth century towns were in a miserable plight; several of them had failed to recover from the ravages of the Black Death. This seems to have been true of Richmond in Yorkshire[3], while the case of Bristol is still more striking; as the port where the most enterprising merchants fitted their ships for foreign trade, and a convenient centre for the products of West of England looms, Bristol had every chance of growing rapidly; and yet even in this case, a century seems to have elapsed before it recovered from the blow which had been inflicted by the Black Death[4]. We cannot be surprised that in other parts of England, where there was less opportunity for foreign commerce, less development of weaving, and more disturbance from the Wars of the Roses[5], the revival should be delayed still longer.

A.D. 1461 —1485.

Consequent impoverishment of some provincial towns.

A.D. 1438.

The administration of town affairs appears to have been gradually concentrated in the hands of those who were best fitted to exercise it efficiently[6]. This change was the natural

Constitutional changes.

[1] Kitchin, Charter for *S. Giles's Fair*, p. 17. See above, p. 181.

[2] Leland, *Itin.* VII. 145. [3] Plantagenet-Harrison, *Yorkshire*, I. p. 33.

[4] Seyer, *Bristol*, II. 141.

[5] The local feuds between the Berkeleys and their rivals were of sufficient importance to cause serious disturbance to industry and trade. Seyer, *Bristol*, II. 193.

[6] Bateson, *Leicester Records*, II. liv.

A.D. 1461 —1485.

outcome of the conditions which have already been sketched with regard to the distribution of wealth; for it too was concentrated in a few hands and places. An almost uninterrupted wail of complaint rises from town after town; they professed themselves unable to pay their shares of the tenths and fifteenths. Such grumbling might not perhaps be in itself conclusive—the more important fact remains that very large remissions were actually granted; one parliament after another evidently believed that the complaints were well grounded and that the burgesses could not pay. Hard pressed as the parliaments were to find money, they were forced to make special exemptions in some of the votes under Henry VI. The tenths and fifteenths were still assessed on the basis of 1334; and in 1433 parliament allowed a remission of £4000 in voting a fifteenth and tenth, "in release and discharge of the poor towns, cities and burghs, desolate, wasted or destroyed, or over greatly impoverished or else to the said tax greatly overcharged"; Great Yarmouth and Lincoln are specified for particular exemption[2]. £6000 was also remitted on the fifteenth and tenth and half fifteenth and tenth voted in 1439[3], when Lincoln, Elm, Wisbech, Leverington, Newton S. Giles and Tidd S. Giles in Cambridge, and Andover and Alresford in Hampshire are particularised for relief. In 1442 the remission is at the same rate on the sum granted; but Lincoln is to be entirely exempt, Cheltenham, Alresford, Andover, Headington in Oxfordshire and Scarborough are to pay half, and Great

Remissions to towns in the collection of fifteenths and tenths.

£4000.

[1] After the peasants' revolt "from one cause or another groups of men were "formed in the midst of every town who were shut out from the civic life of the "community, and whose natural bond of union was hostility to the privileged class "which denied them the dignity of free citizens and refused them fair competition "in trading enterprise. The burghers yearly added to their number half-a-dozen "or perhaps a score of members wealthy enough to buy the privilege, while the "increase in the unenfranchised class, which had begun very early in the town "life, proceeded by leaps and bounds; till presently the old balance of forces in the "little state was overthrown, the ancient constitution of a free community of equal "householders was altogether annulled and forgotten, and a comparatively small "class of privileged citizens ruled with a strong hand over subject traders and "labourers, to whom they granted neither the forms nor the substance of liberty." *Town Life*, I. 196. Mrs Green however occasionally uses language which seems to imply that the whole community shared in the prosperity of the time (Ib. I. 58) but without adducing any evidence of general welfare.

[2] *Rot. Parl.* IV. 425.

[3] Ibid. V. 5.

Yarmouth three-quarters of their ordinary assessment[1]. In consecutive entries[2] March 15th and April 9 in 1445 there are grants of half a fifteenth and tenth, and of a whole, and a half, fifteenth and tenth; in the former the remissions were similar to those of 1442, but by the latter £9000 was remitted. In 1449 there was a remission of £3000 on the half tenth and half fifteenth granted, Great Yarmouth being named for relief[3]; in 1453 the remission was at the same rate, £6000, on one fifteenth and tenth, and Lincoln and Great Yarmouth were entirely relieved[4]. The same towns were again allowed to go free when £31,000 was given to Edward IV. in 1465, though he endeavoured to get payment of the £6000 which had been remitted of the last grant of a fifteenth and tenth[5]. In 1472 there is the same remission, New Shoreham and Cambridge coming in for the boon as well as Great Yarmouth and Lincoln[6]. A.D. 1461—1485. £6000.

Causes of decay.

There is no reason to look far afield for the causes of this general distress; the strain of the long-continued French War imposed a heavy burden, and the disturbances arising from the Wars of the Roses caused terrible misery. It is the fashion to regard this struggle as a sort of tournament in which the nobles and their retainers took part, while the routine of ordinary life went on with little interruption. A very different picture is given us by the contemporary chronicler, who had seen the wretched fugitives seeking refuge in the fens from the ravages of the northern army. Peterborough, Cambridge and Boston were burnt, and Stamford suffered so severely that it never recovered its former prosperity[7]. The soldiers who fought in these battles must have obtained supplies somehow, and it is only likely that they laid hands on any cattle they found, and left the peasantry without any means of cultivating the land[8]. The

[1] *Rot. Parl.* v. 37.
[2] Ibid. v. 68, 69.
[3] Ibid. v. 142.
[4] Ibid. v. 228.
[5] Ibid. v. 497.
[6] Ibid. vi. 40.
[7] Peck, *Stamford*, bk. xiv. p. 63.
[8] I am indebted to Mr Leadam for one instance of the kind at Abbots Ripton in Huntingdonshire. "And further examined saithe that he hathe hard hys father saye, that before the batayle whiche was callyd Ester daye Feld, all the tenauntes of Abbottes Rypton were Copie holders & held of the Abbot of Ramsey. And the

A.D. 1461—1485. very defences which the towns erected for their own protection were terribly costly; the burgesses at Coventry appear to have found great difficulty in erecting and repairing their wall[1]. In some other cases special reasons are alleged for
A.D. 1421. the poverty of a town. At New Shoreham the heavy pressure of taxation is assigned as the chief cause of decline from 500 to 36 residents, though it had also suffered from incursions
Sea. from the sea[2]. Rottingdean suffered from the sea, but it had also been burned by the French, and the heavy assess-
War. ment forced the inhabitants to withdraw[3]. The port of Yarmouth was stopped up, so that ships could not enter[4].
A.D. 1407. Lynn had been attacked by the French[5], so had Melcombe[6],
Pestilence. Truro had also suffered thus, as well as from pestilence[7]. Of the others mentioned, it may well have been the case that the Cambridgeshire towns had been attacked by enemies; while Lincoln had probably been injured by the competition of Boston. It is obvious that whenever a town was temporarily injured from any accidental circumstance, the neces-
Taxation. sary contributions for the ferms would fall very heavily on those who were left, and that the temptation to migrate from corporate towns must have been strong. We may see in the present day how high rates drive inhabitants outside the municipal boundaries to build large houses in the suburbs, and even affect great business concerns; the Great Eastern Railway is said to have saved in rates by moving their continental traffic from Harwich to Parkeston. The real extent of the decay, and the position and character of the places which escaped, could only be clearly understood by the investigation of the history of many localities separately.

Northen men laye there so long before the Felde was Fowghten that they Impoveryshed the countrey. And the tenauntes were fayne to yeld vp theyre Copye holdes, for that they were not hable to Repayre theym. And then came other tenauntes and occupyed theym as tenauntes at wyll and they had the Rentes Abatyd." *Court of Requests MSS.*, Hunts' Calendar, Bundle 7, No. 10, m. 8.

[1] *Discourse of Common Weal*, p. 18, l. 33 n.
[2] *Rot. Parl.* IV. 159.
[3] Ibid. IV. 160.
[4] Ibid. III. 620.
[5] Ibid. III. 640.
[6] Ibid. III. 638.
[7] Ibid. III. 638.

A.D. 1377 —1485.

V. MEDIÆVAL AND MODERN ECONOMIC IDEAS CONTRASTED.

Paucity of literature.

131. The fifteenth century and the first half of the sixteenth may be regarded as a period of transition from mediæval to modern society; many of the changes which took place under the Lancastrians and Yorkists went on with greatly accelerated rapidity under the Tudor kings. It is always exceedingly difficult to mark with any precision the point which the tide of progress had reached at any particular date; but this difficulty is really insurmountable in the present case, from the meagreness of the economic literature with which we have to deal. In the *Libelle of English Polycye* we have one invaluable storehouse of information, and the preambles of *Statutes* and *Rolls of Parliament* have much to say on particular points; but there was little if any attempt to expound the old principles afresh, and till the invention of printing there was no facility for the publication of pamphlets discussing current topics. But though we cannot mark how far the change had gone at the time of the battle of Bosworth, we may try and set in clear light the real character of the movement which was taking place. We can most easily specify the phase of development on which England had entered in the fifteenth century by noticing some of the habits which were being discarded.

A.D. 1485.

Natural Economy superseded.

In preceding sections the characteristics of what is commonly called a system of natural economy have been pointed out[1]. There may be plenty of production from the soil, and a considerable development of industry, but trade does not advance very far, unless there is a recognised medium of exchange in some form of money. Money facilitates trade of every kind, since it renders bargaining easier and more accurate, and so soon as it is used at all it is sure to be gradually introduced into all economic relations. At the close of the fourteenth century money had come into use in all parts of the country for many economic purposes. Comparatively few of the obligations of the citizens were discharged in

[1] See above, pp. 22 and 244.

A.D. 1377 —1485.

person; and their payments to the government were ordinarily made, not in food or wool, but in money. The disputes about wages after the Black Death, and the act against truck in the time of Edward IV. show that the obligations of the employer to the employed were ordinarily discharged in money, or in money with food; while the value of all sorts of goods exposed for sale at fairs or markets can be quoted from recorded prices in money. Even the relation between landlord and tenant was commonly expressed in terms of money, and noted in a rental; though payments in service or in kind continued to be the practice on some estates.

Intervention of money.

With the partial exception of the payment of rent, however, it may be said that money had come into use in all economic relations; at the time of the Peasants' Revolt it offered a more convenient method of discharging obligations and of receiving what was due. But the habitual use of money in any department of business prepared the way for a further change. At first, the substitution of payments in money for payments in kind made no difference in the recognised method of calculating the amount that was due; there was a customary standard of what was fair which was reflected in a customary price. The intervention of money brought with it a possibility of close bargaining, of which either the buyer or the seller was anxious to take advantage. There may be great advantages to the community in maintaining a steady range of prices[1]; but the individual at each moment prefers to get the highest and pay the lowest price that is possible then and there. It is obvious that in the case of any commodity like corn, the plenty of which is affected by the seasons, a regulated price would often be either higher or lower than a market price; and if it were enforced, either the buyer or the seller would suffer[2]. Hence it follows that so soon as the use of money becomes common in any department of economic life, competition prices or rates are likely to take the place of calculated or customary rates. Customary prices are the money equivalents of pay-

Customary and Competition prices.

[1] As in the Corn Bounty System in the XVIIIth century. See vol. II. p. 541.

[2] On the break-down of the Assize of Bread see vol. II. p. 318.

ments in kind; they are the expression of a natural economy in terms of money; but, as the habit of close bargaining comes to be practised in one direction after another, these customary prices give way, and competition comes to be the means of determining price. A.D. 1377 —1485.

Transition.

In the fifteenth century the use of money had become general; the old forms of natural economy were discarded, but though prices could be quoted in a money form, they were not yet determined by monetary considerations pure and simple. This seems to me to be the gist of the confused movements of the time, and to mark the particular step of progress which was taken during this period. Old institutions of every kind, in town and country, were falling to pieces; new attempts were being made to regulate industry and encourage commerce—that lies on the surface, and no one can fail to observe it. But the completeness of the change cannot be satisfactorily accounted for until we see that the principles on which the economic organisation of the middle ages was based were being discarded, and that the system which was rising on its ruins was being framed in accordance with entirely different ideas and objects; we shall really get near the root of the matter if we contrast the modern and mediæval ideas as to the principles which determine or should determine prices.

Reconstruction of society.

So long as each man had a definite place in the social group to which he belonged, it was possible to calculate what his reasonable wages should be, and thus to estimate reasonable prices for the commodities he produced. Even in articles like bread and beer, which were closely dependent on the chances of the season, an element of reasonable calculation and regulation could be introduced; but the competition of aliens in the fifteenth century, and of unfree craftsmen in the sixteenth, rendered it a matter of increasing difficulty to secure these calculated prices, and the organisations which had assessed them were falling into disrepute and decay. The gradual subdivision of employments and the appearance of intermediaries rendered it more and more difficult to name a price that should be precisely just—as had been attempted in bygone days—and competition prices, from their greater convenience, came slowly into vogue.

A.D. 1377 —1485.

Competition prices

It is of course possible to argue that the price which is reached by mere competition is the just price there and then[1]; it gives a rough and ready way of measuring what is due to the seller, by showing what buyers are willing to give for the right to use these wares. It certainly is true that in a large market, where there are many buyers and many sellers, one effect of competition is to give a uniform and therefore a fair price all round; but the results are not so satisfactory when prices are determined by mere competition, although there happens to be little competing. Sometimes the physical conditions are not present which render it possible for many buyers and sellers to meet; at such times the price of the commodity is really settled by a bargain in which one party can take the full advantage of some accidental circumstance which gives him an advantage in haggling. This was the very thing which mediæval regulation had been intended to prevent, as any attempt to make gain out of the necessities of others, or to reap profit from unlooked for occurrences would have been condemned as extortion. It is by taking advantage of such fluctuations that money is most frequently made in modern times; but the whole scheme of commercial life in the middle ages was supposed to allow of a regular profit on each transaction. Traders did not flood a market with goods so as to force a sale; but they stinted the export in the hopes of getting a good price and a clear profit on all the transactions; and all the industrial and commercial institutions of the fifteenth century—craft gilds, merchant companies, or 'Flanders fleets'—were engaged in regulating industry and commerce so that there was comparatively little room for fluctuations. As all these institutions decayed a great opportunity was given for enterprise and business capacity; there were henceforward fields in which the active man could push forward and the man of capacity could speculate with success, and thus the breaking down of the old system gave scope for an extraordinary development of industry and trading. The spirit of enterprise which had been checked before was at last left free to assert itself.

and fluctuations.

[1] Medina, *De rebus restituendis.* Scaccia, *Tract. de Commerc.* p. 120, n. 65.

A.D. 1377—1485. *Cost of production underlying price.*

In our own modern days then we take for granted the existence of continual fluctuations in price as mediæval society did not do; but we also approach all questions about prices from an opposite pole. The older view was that of taking the common estimation of the cost of production, while an attempt was made to secure that the articles were of good quality and thus likely to meet the needs of the purchaser who was willing to pay the 'just' price. But the ruling conception, which has come to the front in modern times, is not the cost of making the article, but its convenience and usefulness and desirability when made. One might say that in old times utility determined whether any exchange took place or not, but considerations of fairness regulated the terms of the exchange; whereas in modern times it is by mere reference to present or future utility[1], which includes the idea of scarcity, that the rate of exchange is agreed on. Only on an average and in the long run do competition prices represent the cost of production; mediæval prices were regulated by a consideration of the requirements of the producer, modern prices are determined primarily by the utility of the wares.

Price limiting the reward of labour.

The difference, which emerges according as we start from one principle or the other, comes out most distinctly with reference to wages. In the middle ages reasonable wages were taken as a first charge, both by the writers who laid down the doctrine of just price, and by the gilds which calculated out the rates that were to be paid; in modern times the reward of the labourer cannot but fluctuate in connection with fluctuations in the utility and market price of the

[1] The really important consideration in the mind of the seller is the utility of the article; its usefulness to him if he resolves not to part with it, or its usefulness as a means of procuring other goods at a future time if he defers the sale; he may often part with it for less than the expense of production if he neither wishes to use it nor sees a chance of getting a better price. So too the buyer only thinks of the usefulness-of-the-article-to-him; he will not pay more for any piece of goods than will suffice to get him something else that serves his turn as well; the expense of production is nothing to him, the utility of the article is all he cares about.

In a large market this is disguised; the price to all is that which is expected to tempt just so many buyers to come forward, that all the stock offered may be sold; the price which all pay accords with the-usefulness-of-the-article to the least anxious buyer who actually buys it.

A.D. 1377 —1485.

things. There always must be a connection between wages and prices, but in the olden times wages were the first charge, and prices, on the whole, depended on them, while in modern times wages are, on the other hand, directly affected by prices.

Rent reckoning.

Something similar may be noticed in regard to payments made to landlords; a fertile estate would have yielded but little annual income, unless the necessary labour was attached to it. The peasant's share of taxation, paid through the landlords, was probably the original element in rent; and so far as the copyholders were concerned, their quit rents had direct reference to the personal predial services of which they were quit, and the fines marked their entry on a definite personal relationship with the lord, in which mutual obligations were implied. But in letting land on lease, account had to be taken of the character and worth of the land and of the possibilities of working it at a profit, and rent in its modern form, as the surplus which goes to the landlord after outlay has been defrayed, came into vogue.

The rent to be paid on this basis could best be settled by competition and not by assessment. Immediately after the Black Death, there seems to have been a keen competition for holdings, and rents were high[1]; but during the fifteenth century generally, the landlords who desired to keep up the effective force of their tenantry seem to have had difficulty in getting offers from substantial men[2], and the rent of arable land ranged low. Hence the price which could be obtained for wool, opened up possibilities of gain of which landlords in many districts were ready to avail themselves. Land was diverted from a less profitable to a more profitable use and sheep runs took the place of cultivated farms. We read complaints of reckless evictions and depopulation; but it does not appear that rents rose on the land which continued to be used for tillage. In the sixteenth century, however, the effects of bargaining began to be felt; landlords began to demand from the arable farmer a payment which should be equivalent to the utility of the

[1] In the lack of detailed evidence the Norfolk manor which has been carefully investigated is taken as typical. Davenport, *Norfolk Manor*, 78.

[2] Frequent remissions of rent are noticeable in manorial records in the fourteenth century, e.g. at Preston in Kent on account of the mildew on wheat. Camb. Univ. Lib. *Dd.* III., 53 f, 141. Also on account of a murrain. Ibid. f, 143.

land if employed for pasture[1]. Here once more, consideration of the personal condition of the tenant falls into the background, and attention is fixed on the utility and worth of the holding under a system of competition rents. A D. 1377 – 1485.

Usury.

In the same sort of way the old objection to usury broke down because men came to look at the matter in a new way. In the middle ages attention had been riveted on the personal needs of the borrower, and public opinion condemned those who took advantage of his folly or his necessity; but in the fifteenth century men were awaking to the use which might be made of their stored-up wealth for industrial as well as commercial purposes, and the formation of 'capital' was beginning[2]. Of course every craftsman must have had his stock in trade of materials and tools as well as food and clothes; he must have had the means of waiting till his work was completed as well as the means of working. But by capital we habitually mean far more than this: we mean a store of wealth which can be directed into new and more profitable channels as occasion arises. Stock in trade is fixed and cannot be readily diverted from one channel of production to another; capital is to some extent fluid—always being consumed and replaced, and so far changing its form that it is capable of transfer from one kind of production to another. The moneyed men of the fourteenth century had demonstrated the power of capital by their operations in commerce and to some extent in industry, and the formation of capital became an object of ambition. A man who had some success in his calling and began to gather wealth would not necessarily increase his own stock in trade, and he could hardly be contented to hoard his money; he tried to embark in any profitable investment; it seems that there were such opportunities for the profitable use of money at the close of the fifteenth and beginning of the sixteenth centuries, that money was not so much hoarded—perhaps even that hoards were broken up[3]—

Capital.

[1] This was a matter of common complaint early in the sixteenth century (below, p. 526), but Thorold Rogers contends that there was no real, only a nominal, rise of rents until the time of Elizabeth. *Agriculture and Prices*, IV. 135, 750.

[2] For an investigation of the conditions and effects of the introduction of Capital in the later middle ages, see Sombart, *Der moderne Capitalismus*, I. 393.

[3] "He (Enterprise) will promise you to waute noe treasour.* * The merchants, the ffarmours, the grasiers that be rich, into this market will bring their bags that they have kept soe long. And as for the widows and the wyves also they will

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and that the coinage circulated more rapidly. Such investors, dealing as they did for the most part with prosperous city men, felt no call to consider the personal condition of the borrower, as long as the security was good; for he seemed well able to look after himself. The one important point on which they insisted was that their wealth was of use in industry or commerce, and that they could be paid by men who wished to have it to use.

Social structure.

132. Mediæval economy with its constant regard to the *relations of persons* was giving place to modern economy which treats the *exchange of things* as fundamental; and this has introduced an extraordinary simplification in the structure of society; the whole of the complicated industrial organisations of the middle ages have passed away, and the strong *esprit-de-corps*, which gave so much healthy life in many cities[1], has also disappeared. Economically we have only three broad divisions in society, for men arrange themselves according to the things they own and exchange; they may exchange their labour for wages, or they may exchange the use of their capital for interest, or they may exchange the use of their land for rent. In modern societies Labourers, Capitalists and Landlords are the three classes which group themselves round the possession of the power to labour, the possession of wealth and the possession of land. This is the social structure we habitually assume, but it is strangely unlike the municipal and manorial life it has superseded.

Individual ambition.

The change which has so altered the structure of society has also affected the individuals who compose it; the old burgess society has doubtless been idealised to an absurd extent; but it had this striking characteristic, that the ordinary object of ambition was not so much that of rising out of one's grade, but of standing well in that grade; the citizen did not aim at being a knight, but at being warden and master of his gild, or alderman and mayor of his town. For good or for evil we have but little sympathy with these humble ambitions;

ransacke their forcers [chests] and their knotted cloutes to the last penny they can finde." Dudley, *Tree of Commonwealth*, 52.

[1] Riehl, *Deutsche Arbeit*, 23.

everyone desires to rise in the world himself; and the philanthropic construct social ladders by which the poorest child may climb to the highest rank, as was done by ecclesiastics in the middle ages. And with this changed social structure, and changed social ambition, money has come to have a new importance for the individual who possesses it. In the older days coinage had given a unit for the comparison of one kind of wares with another; but it was not an object which men were likely to seek after, except in so far as they desired to lay by for a rainy day. If they had large sums at command they could not invest them; and, so far as the greater part of the population were concerned, their food and clothing were practically determined by their status in the social system. So long as prices were arranged by calculation, there must have been comparatively little variation in the real reward which a man got for his labour; and while payments were partly made in kind, attention was not directed forcibly to money as a purchasing power. But with competition prices all this changed; the amount of comforts a man could procure no longer depended on the regulations of his gild, but on the purchasing power of the money he obtained by the sale of his wares. Statesmen aimed at something more than regulating the coinage so as to have a definite unit for the comparison of wares; money had come to be a thing for which everyone sought, not exactly for its own sake, but because of its *purchasing power*; it was a convenient representative of all other objects of wealth, and, as such, a thing of which each man desired to have as much as possible[1]. From this time forward the *desire of wealth*, as the means of gratifying the desire of social distinction and all else, became a much more important factor in economic affairs than it had been before. A.D. 1377—1485. *The desire of wealth.*

133. These changes had a very important bearing on all questions of commercial morality; so long as economic dealings were based on a system of personal relationships they all had an implied moral character. To supply a bad article was morally wrong, to demand excessive payment for goods or for labour was extortion, and the right or wrong of every transaction was easily understood; but when all dealings are *Morality*

[1] Ratzinger, *Volkswirthschaft*, 296.

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considered as so many instances of exchange in an open market, the case is different. No compulsion was put upon either party to the exchange; and if either of them came badly off, it might be regarded as his fault or his misfortune; but it was not always easy to say that the other party to the transaction was to blame. In every case of exchange one party has an advantage; he may have superior knowledge, or he may be less anxious to come to terms, and he can therefore afford to wait; in either case he is able to drive the better bargain. There are extreme limits which define whether any transaction shall take place or no; and though the advantage which accrues within these limits is not often equally divided, there is no apparent moral wrong in taking full advantage of the power of driving a good bargain under conditions of free competition. In many cases the weaker has gone to the wall; and some writers have even formulated an iron law of wages which states the existence of an irresistible tendency on the part of the employer to drive down the labourer. Though this appears to be a decided overstatement, the fact remains that there is really no means of applying moral judgments to economic affairs at present; 'supply and demand' are taken as ultimate; and so long as transactions are above-board and in accordance with market rates, the ordinary modern conscience is unable to go behind these circumstances and discuss how far they are right or wrong.

of driving bargains.

The gilds are responsible for wrong.

Once again the existence of the gild system demonstrates how much mediæval and modern feeling differ in this matter; it is often spoken of as a police system, and it was a police system because it served the purpose of bringing home the responsibility for every mischief and scandal to some one or other. The city authorities looked to the wardens of each craft to keep the men under their charge in order; and thus for every public scandal, or underhand attempt to cheat, some one was responsible, and the responsibility could generally speaking be brought home to the right person. In the great social difficulties of modern times all this is altered; all deplore the evils of the sweating system, but the blame cannot be brought home. Thought and opinion on economic subjects do not now attempt to offer decided moral judgments.

Political Economy explains what tends to happen, but declines to decide what ought to be done at any juncture; it professes to be non-moral. And hence modern ways of thinking about business transactions were very shocking to the ordinary conscience when they were first propounded. The immorality of rent enhancers[1] and others, who only thought of their own private gain, was a favourite topic for preachers in Reformation times; though their language has been re-echoed during recent agitations, the ordinary modern reader is out of sympathy with their denunciations of many practices which he takes as a mere matter of course. A.D. 1377—1485.

134. While the structure of society was being recast, and the recognised principles of economic morality were only derided, there seemed to be complete moral chaos; but there was one factor which was strong enough to reduce the anarchy to order again; men were forced in their dealings to have a due regard to the power of the state; this is the central idea in the commercial systems of the Reformation and post-Reformation periods. *National power*

In the fifteenth century this principle was consciously taken into account, and it operated to restrict action which seemed to be fraught with danger. Naval power was affected by the use of foreign shipping, and native vessels were preferred; so too, the export of bullion was prohibited as it led to the impoverishment of the realm. Any importation which interfered with the employment of the people, the woolgrowing and clothmaking which threatened the food supply, and the unthrifty games which interfered with their military training, were all authoritatively checked; but as time passed on, the desire of advancing the national power came to be much more effective; it was the ruling ambition, and the whole commercial and agricultural system was formed *as a limiting principle.*

1 "You landlords, you rent raisers, I may say you step-lords, you unnatural lords, you have for your possessions yearly too much. For that here before went for twenty or forty pounds by year (which is an honest portion to be had gratis in one lordship of another man's sweate and labour) now is let for fifty or a hundred pounds a year." *Latimer's Sermons* (Parker Society), p. 99. "Let these terrible examples suffice at this present to teach and admonish the enhancer of rents." Ibid. p. 109. See also Thomas Becon, *Catechism*, &c. (Parker Society), 599.

For similar expressions of opinion by German reformers see Schmoller in *Zeitschrift fur gesam. Staatswissenschaft*, XVI. 461.

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on this basis. As this principle was more definitely thought out it became, not a restrictive and limiting, but a constructive force, and under its guidance commercial enterprise and industrial skill were stimulated, while they were combined into a great national economic system.

Municipal spirit and patriotism.

National ambition could hardly come to be the guiding principle in industry and commerce, while municipal life was at its best; the enthusiasm of the mediæval merchant did not go far beyond the advance of his own town in wealth and dignity. Under this limited impulse the Italian cities attained a high degree of wealth and power, and the monuments of their mediæval splendour are still a glory to the world[1]. In England this feeling was less potent than elsewhere; the work of William I. and Edward I. had laid the foundations of a true national life; even in England, however, the great centres of wealth were municipal in their feeling and ambitions, at all events[2] in the fourteenth century. But the decay of municipal institutions, in the fifteenth century, must have done much to check this ancient spirit, and to sap the old burgess ambitions; while the long war with France called forth a new sense of national unity[3], and a pride in England as a country. This is strongly reflected in the literature of the time, especially in that curious work the *Debate of the Heralds*[4] which, fashioned as it apparently was on a real incident[5], puts before us the points of which the English were wont to boast[6]. The claim that they were "more richly and amply provided with ships than any other nation of Christendom" was 'one plain lie to begin with[7]': the French Herald

The Heralds.

[1] The enthusiasm for their city was perhaps stronger in Venice than elsewhere (Oliphant, *Makers of Venice*, c. 1), though the jealousy of other Italian cities was felt in each of them.

[2] The Merchant Adventurers and some of the other fifteenth century companies though chiefly composed of Londoners were really national institutions. Gross, *Gild Merchant*, I. 151.

[3] On the growth of nationalities in Europe at this time see R. Pauli, *Rosenkriege* in *Hansische Geschichtsblätt.* (1874), p. 78.

[4] Written by Charles, Duke of Orleans, 1458—1461.

[5] The dispute at the Council of Constance in 1416 as to whether England should form a distinct nation. Pyne, *England and France*, p. xii.

[6] Pyne, p. 89.

[7] As Sir Thomas More said of another assertion, which seems to have taken its rise from these Debates, that there were 52,000 parishes in England. Pyne, op. cit., xvii. note. More, *Supplication of Souls*, in *Works*, p. 232.

did not contest the point so forcibly as he might have done[1], though he accused the English of merely using their ships to plunder the commerce of others; the English Herald extols the national policy by which the English "cunningly withdraw and bring to their own countries the money of the neighbouring countries[2]," and he speaks of the great quantities of cloth exposed for sale at Calais, and the number of large and populous villages[3]. Sir John Fortescue's *Commodities of England*[4] is a noteworthy contribution to the controversy which was written some years earlier; it enumerates the rivers, havens, and so forth, the "woollen cloth ready made at all times to serve the merchants of any two kingdoms, Christian or heathen," and lays claim to the greatest treasure in the world, that is gold and silver ore, "whereof Englishmen had the worthiest payment passing any land, Christian or heathen." But it is against France that he draws unfavourable comparisons with most gusto; her havens never had any navy of ships and never shall have, but only a few ships of war that can do us no harm, while we on the other hand cannot do the French much harm, for they have very little maritime trade with other countries. The *Libelle of English Polycye*, already quoted, is full of a similar spirit of national ambition; and this conscious desire of national power was the element that was needed to bring all the isolated experiments in mercantile legislation together and form them into a complete system. Other nations were taking up the same ideas, and Charles V. is generally spoken of as the man who created this mercantile policy[5]; but he was certainly anticipated by Fernando of Portugal[6], and, as we have seen, English commerce had long been affected by similar principles. So far as England is concerned and with regard to

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Fortescue.

Libelle of English Polycye.

A.D. 1367.

[1] Compare the complaint in parliament in 1444. And also atte that tyme more pleinte of Shyppes and other Nave in this Reaume of Ingelonde by the half thanne is now, as it apperith opeynly to every man by experience; the which was in tho dayes gret plesur to all estatez and degreez, grete richesse, and by the myght of such Nave gret defence for all this londe, and grete fere to all thayme that ben Ennemyes to this lond. *Rot. Parl.* v. 113. Schanz, I. 368.

[2] Pyne, p. 67. [3] Pyne, pp. 61, 62.

[4] *The works of Sir J. Fortescue*, edited by Lord Clermont, I. 551.

[5] Blanqui, *History of Political Economy*, 213.

[6] Schanz, I. 358. See also for a later period Heyd, II. 511.

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her insular position, we may state the main lines of policy thus,—to obtain Power, we needed (i) Shipping, (ii) Treasure, which came by commerce; while within the realm, we had to attend to (iii) the Food Supply, which gave the means of maintaining a vigorous Population. All the galling interferences with private interests which Adam Smith condemned, and which move us to wonder, were directly connected with one or other of these objects, and hence had their ultimate justification in a desire to promote the power of the nation.

Plenty v. Power.

When this aim was consciously and persistently pursued as the main end of mercantile regulations there was an entire reversal of the principles which had actuated such a ruler as Edward III.; the first signs of tentative efforts in the new direction may be found in the complaints of the Good Parliament and the Statutes of Richard II. Edward had legislated in the interests of the consumers and with the view of providing *plenty*; the parliaments of Richard II. took another turn, and insisted on introducing conditions which eventually, as they were worked out in subsequent centuries, favoured the growth of English *power*. It is only when we cast our eyes forward that we see the full importance of the changes which were urged in the Good Parliament and carried out in Richard's reign, and that they really laid the foundations of the famous mercantile system.

The mercantile system.

The encouragement of natives and discouragement of foreigners, the development of shipping, and the amassing of treasure—these were the three main points of the mercantile programme, and they were all deliberately adopted by the parliaments of Richard II., who deliberately rejected the opposite policy which had been pursued in each of these particulars by Edward III. The scheme for commerce which they preferred directly favoured the immediate interests of English merchants, while it had obviously grown out of the antipathy to the upland man and the stranger, which characterised the householders of chartered towns. But the rise of nationalities and the increasing bitterness of national rivalries, the discoveries of the New World and the struggle for the possession of its treasures, brought about, in the sixteenth and seventeenth centuries, political conditions which were

favourable to the detailed development of the mercantile system, though the main lines of it had been laid down long before. A D. 1377—1485.

When Lord Bacon in a well-known passage remarks that Henry VII. bowed the ancient policy of this realm "from consideration of plenty to consideration of power[1]" he calls attention to the leading characteristic of the commercial action of the Tudor kings; but it was not they who made the change, it really occurred when the City merchants had attained such an influence that they were able to give effect to their own ideas. To some extent, plenty is a condition of power, and the two policies may have much in common; but, whereas Edward III. desired to see large cargoes, whoever brought them, *i.e.* plenty, the Ricardian Parliament desired to have more English ships, even if the home consumers were for a time badly supplied with wine. The distinction may become clearer for us if we take a modern analogue. It was only last century that England discarded the economic policy on which the parliament of Richard II. entered, and began again to aim at plenty instead of power. The corn laws had been intended to keep up the home food-supply, and thus to give us strength; but parliament repealed them in 1846, with the view of making corn more plentiful. The navigation laws have disappeared, and intercommunication with all parts of the world is unfettered, with the result that the mercantile marine of other nations has greatly developed, and that our naval supremacy is threatened. While questions of currency, and especially those connected with a double standard, are felt to be of overwhelming importance, no serious effort is now made to amass treasure as a source of political strength. In fact, England has reverted to the commercial policy of Edward III., a policy framed in the interest of the consumer, but a policy which depended for its assured success on the maintenance of stable political relationships with other regions. There are great differences of course; the consumers of foreign produce in Edward's time were the comfortable classes who drank wine, not the masses who needed bread: the area within which the exchange took place was most

Turning-points.

[1] Bacon, *Hist. Henry VII.*; *Works*, VI. 95.

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limited, now it is world wide; none the less is it true that Cobden turned the policy of this realm back from considerations of power to considerations of plenty, and that England thus returned to a line which bears a closer analogy to the policy of Edward III. than it does to the scheme which had been on the whole dominant since his time.

V. THE TUDORS.

I. Preliminary Survey.

135. The great discoveries of the last decades of the fifteenth century effected a revolution in the whole trade of the world, for they opened communications between the most distant parts, and thus laid the foundations for the great international commerce of present times. Mediæval, like earlier European trade, centred in the cities of the Mediterranean; there were streams of traffic by the Russian rivers and the Danube, which led towards the Baltic and to South Germany, but the great centres of commerce and industry were on the shores of the Mediterranean; the citizens of Genoa and Venice were the chief agents in carrying on the traffic between East and West. But when the Cape of Good Hope was successfully rounded by the Portuguese, an entirely new prospect was opened to European traders; they could make their way to India direct, instead of submitting to the exactions of intermediaries in Alexandria and elsewhere; the great stream of commerce between East and West was at once directed from the Levant to the Atlantic, and the Portuguese became for a time the chief trading people of the world. Partly at all events in the hope of sharing in this lucrative trade, Columbus planned the voyages which led him to the West India Islands, and Cabot found his way to the coast of North America. A little later, according to the ordinarily accepted view, a Portuguese

A.D. 1485—1558.

New discoveries and new routes for trade with the East.

A.D. 1485—1558. expedition to the East was driven out of its course, and this led to the discovery of Brazil[1]; and from this time onwards Lisbon bore away the palm from the Italian cities and became the great commercial depôt for Western Europe[2].

Effect on English commerce. Henry VII. was too parsimonious to seize the opportunities which were offered him and to take a leading part in this age of discovery[3]; perhaps the English colonial empire was all the stronger because it grew so slowly; the immediate effects on English commerce were small, but none the less the events of this time really form the great epoch in English commercial history. Far from the Mediterranean, English merchants had taken little part in the trade of the world; they sold English products and catered for English tastes, but they had not had any opportunity of acting as intermediaries and carrying goods to their own depôts to be distributed thence to other nations. From the Tudor times onwards English trade assumed this character, and with ever-increasing success; in the present day by far the larger part of the trade of the world is carried on in English ships, and London is a depôt for the trade of all nations. England had only been on a side-eddy before, but the discoveries of the fifteenth century placed her on the main stream; and though the immediate results were small, English enterprise took a new character with most far-reaching effects.

Removal of a physical limit. The change lies far deeper than any mere modification of the political life of the country, for it affected the world as a whole, and England as one of the family of nations arising in Christendom; it is a striking instance of the sudden removal of a limit imposed by physical conditions, and of the extraordinary advance which enterprise is ready to make when thus set free. It has no parallel but in the mechanical inventions of the last hundred years; in both cases advancing knowledge removed barriers which seemed to be insuperable. The limit lay of course, as always, not in any material obstacle

[1] Mr Yule Oldham has argued with much force that this was the most accessible route to America, and that Brazil was probably discovered by the Portuguese as early as 1447, but that they did not pursue this line of enterprise. *Geographical Journal*, March 1895.

[2] Heyd, II. 511.

[3] Bacon, *Henry VII.* (Spedding), VI. 197.

which was removed by some physical change, but in the want of that knowledge and skill which at length enabled men to grapple with the difficulty and overcome it. There is no absolute limit to the advance which man may ultimately make; though there is in every age a relative limit, not set by physical nature, but corresponding to the limitations of human skill and energy at that time. Nor do we sufficiently honour the names of those pioneers of invention and discovery, whose skill, or patience, or daring enabled them to overleap the barriers, which former generations had found insuperable, and by so doing to break them down for all posterity; the name of Columbus is known to all, but "some there be which have no memorial." Those who deprecate hero-worship assure us that the "spirit of discovery was in the air" and that Columbus was only the "embodiment of the spirit of his age." He certainly did not embody the spirit of any other ages than his own; if he had done so he would have been a far less important personage for practical life; only in literary circles is there much interest in such anachronisms. His greatness simply consists in the fact that he did embody the spirit of his age, and that through his energy, the floating speculations of many took definite shape and were brought to a successful issue.

A.D. 1485 —1558.

The spirit of the age.

The revolution which occurred at this time was of such immense importance that it is worth while to indicate very briefly some of the steps which led up to it. The travels of Sir John Mandeville and the Venetian Marco Polo had aroused a great deal of interest, and there was a desire which survived from the time of the Crusades to break through the ring of Mahommedan influence[1] which circumscribed Christendom on every hand. Prince Henry the Navigator and his captains succeeded in coasting beyond the region dominated by the Crescent, and past the inhospitable desert of Sahara, to the rich territory beyond. The trade on the African coast was so profitable as to check the enthusiasm of the sailors for further discoveries[2], though the Prince seems to have been eager to press on and force a route to the East by circumnavigating Africa. Others who had been at most pains

Geographical knowledge.

[1] Beazley, *Prince Henry the Navigator*, 175. [2] Ibid., 211.

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to enquire about Eastern countries were of opinion that Cathay might be approached from the west; the Florentine Paolo Toscanelli (born in 1397) had drawn a map of the world in which this is suggested, and sent it to Portugal; Columbus entered into correspondence with him and procured a copy of his map in 1474[1]. A globe[2] embodying the same geographical views was made in 1492 by Martin Behaim of Nuremberg. He had lived for many years at the Azores and made voyages from them; and as Behaim spent the latter part of his life in Lisbon, he may have been in communication with Columbus, though there is no proof of any connection.

Previous voyages.

The tradition of the success attending the voyages of the Norsemen to Vynland must have been well known to Columbus, as he spent some little time at Bristol, and sailed thence to Iceland[3]. His residence in that town cannot but have stimulated his interest in possible discoveries, as such projects seem to have met with much support from the merchants there; he may have met the great John Cabot—a native of his own town of Genoa, but a Venetian citizen—who was to rival his own fame as a discoverer of America[4]. There had been previous attempts which had ended in failure indeed; as in 1291 when the Genoese Theodosius Doria and Ugolino Vivaldo set out with two vessels through the Straits of Gibraltar on a voyage of discovery westwards[5] from which they never returned; and again in 1480, when two ships set out from Bristol, in quest of the island of Brazil[6], but after a two months' voyage they returned to take shelter in an Irish harbour.

There were, however, distinct commercial objects which rendered the views of Columbus attractive, and which afforded the discoverers plenty of support, so soon as it became quite clear that their scheme was at all practicable. The gradual

[1] Peschel, *Geschichte des Zeitalters der Entdeckungen*, 110.

[2] A portion is figured in Mr Yule Oldham's paper, *Geographical Journal*, March 1895, p. 8.

[3] Peschel, op. cit., 101.

[4] F. v. Hellwald, *Sebastian Cabot*, 7. Virchow and Holtzendorff's *Sammlung*, VI. Heft 124.

[5] Kiesselbach, *Der Gang des Welthandels*, 308. Heyd, II. 143.

[6] William of Worcester, *Itinerary* (Dallaway), 153.

advance of the Turks had seriously interfered with commerce between East and West. The Venetians were able to maintain their trading stations in the Bosphorus after the invasion of the Turks, and the Egyptian route was still available, though the Tartars had rendered the northern line of traffic impracticable. Not only were Europeans forced within narrower limits, but their transactions were hampered with very heavy dues. Worse than this was in store for them; in 1471 Kaffa was attacked and 70,000 Christians were carried off as slaves; the islands of the Archipelago and Levant had to be abandoned; nothing was left but the Egyptian trade, and since that could not be regarded as secure, there was the keenest desire on the part of traders to open up a new commercial route with the East.

A.D. 1485—1558. *The old routes of trade closed.*

The Portuguese[1], who had already established themselves in the Azores and Madeira, were gradually pushing their discoveries and trade along the coast of Africa, and reached the Equator in 1481. They were also acquainted with the products which came by caravan to Morocco, and in 1445 Fernandez was despatched to the desert to make inquiries about the trading prospects. Even before this time, however, geographers had represented Africa as a peninsula, and there is no doubt that the Portuguese were really aiming at finding a route to India by these expeditions[2]. Another explorer, Pedro de Covilham, with Affonso de Payva, was sent out to India by the Egyptian route; he visited the Malabar coast, and the Persian Gulf; returning to Aden, he wrote a full account of his journeys to Portugal and gave much information about the African coast as far south as Madagascar. It was plain to his mind that ships might find their way past Guinea to the east coast of Africa and to India[3]; he himself started on an expedition to Abyssinia from which he never returned, though his letters bore out in the most curious way the expectations that were raised by the success of Diaz in rounding the Cape of Good Hope. But it was not till some years later that an expedition was sent out to try the

Portuguese enterprise.

Africa.

India.

A.D. 1487.

A.D. 1487.

[1] Kiesselbach, 304.

[2] Peschel, *Zeitalter der Entdeckungen*, chapter III., especially pp. 71—73.

[3] Heyd, II. 506.

A.D. 1485—1558.

new route, and Vasco da Gama anchored with his four ships at Calicut in May 1498. From that time onwards King Manuel sent out fleet after fleet in rapid succession, impressed the native princes with his power, and established strong factories for trade. Despite the indignant efforts of the Venetians to use Arabian influence to oust the Portuguese from the East, they made good their footing; African gold and Indian spices were obtained in greater abundance than ever before, and the Levantine trade with the East was destroyed[1]. The greater part of the trade was carried on in royal ships, though the king allowed Florentine vessels to accompany them on some occasions; but he deliberately planned that the whole trade should flow through Lisbon, and that the monopoly for Indian spices in Europe should be in his hands[2]. A new incentive was now given to the exploring expeditions of other peoples, for they hoped to find out some new routes by the west, which might break down the Portuguese monopoly, and Englishmen were specially haunted by the ambition of discovering a north-west passage.

The Portuguese and the Venetians.

Material prosperity and national ambition.

136. Before this commercial revolution occurred, industry and commerce had been considered almost entirely with reference to the internal condition of the country; commercial policy was affected by the facilities for collecting customs and the prospect of increasing them, and by the expectation of providing plenty, or of securing employment for the people. Local interests had gradually fallen more and more into the background, and parliament legislated for the prosperity of England as a whole; but at length men came to see that if this was to be preserved, they must take a still wider survey. We have already traced the growth of the idea of a national interest; in modern times, this conception has been consciously grasped and has dominated all commercial policy. Our statesmen have considered the condition and progress of England not by itself, but relatively to that of other nations; what they sought was not mere progress within their own land, for they wished to

[1] In 1503 pepper was brought to England in Portuguese ships, and we were no longer dependent on the Venetian supply. Heyd, II. 526.

[2] Heyd, II. 525.

prosper relatively to other nations. They were not satisfied to aim at maintaining some standard of comfort, they desired to exercise an influence upon the peoples of the world. In fact the object of their ambition was to increase the power of the nation, and greater power implies a greater relative advance; greater power could be obtained by inflicting loss on others as well as by attaining positive gain for England; it has distinct reference to a relative condition. If we discuss whether England is a more powerful maritime realm now than ten years ago, we must consider not merely what the fleet was and is, but what other fleets were and are; we may have bigger ships and better armed, but we are not stronger for offence and defence if we have merely considered the excellence, and not the relative superiority of our own navy. The one leading idea of policy which caused so much national rivalry, and led statesmen to attach so much importance to the maintenance of the 'balance' in Europe, was this aspiration after national power, or relative superiority.

A.D. 1485—1558. *Relative superiority.*

It was brought out into stronger relief by the rise of other nationalities in Europe,—the consolidation of Spain under Ferdinand and Isabella, and the recovering strength of the French monarchy; and also by the great struggles which occupied the sixteenth century. The division of Europe in regard to the papal pretensions, the religious passions which they called into being, and the eager desire to partake in the expected treasure of the New World, aroused the bitterest feelings of jealousy between rival nations.

Rise of nationalities.

The keen national feeling which was thus evoked, and the desire to strengthen the power of England against all her rivals, affected the commercial and industrial legislation in every particular; on every hand private tastes and personal convenience had to give way to the patriotic duty of strengthening the nation. It was thus that men were required by law to eat fish all through Lent and twice a week throughout the year; they might not like fish, but by buying it they helped to encourage fishermen and thus indirectly to keep up a school for seamanship. Time-honoured sentiment had preferred that the dead should be wrapped in linen, but public policy demanded that this sentiment should

Subordination of private gain to public good.

A.D. 1485 —1558.

be set aside and that woollen should be used. And as in these matters, so in everything else; current opinion demanded that private interest should be set aside, at once, in favour of an apparent public gain. How far the gain which accrued to the power of the country was real may be discussed below; that there was a distinct loss to individuals from the enactments no one would have denied. It was admitted that the planters were hampered by the navigation acts, and the Englishmen who had established grazing farms in Ireland suffered from the laws against importing cattle; there was a loss of their wealth, and a decrease of the aggregate wealth to that extent. This was obvious long before the time of Adam Smith; but parliament had no scruple in doing these injuries, because they believed, rightly or wrongly, that it was necessary to sacrifice the interests of some individuals for the sake of increasing the shipping and maintaining the wealth which was available for national defence. They may have been right or may have been wrong; in some matters they certainly made grave errors of judgment, but they were not ignorant of the bearing of the policy they pursued. Current sentiment has changed so much in regard to this matter that it is very difficult for us to understand the attitude which was generally taken in the sixteenth century by public opinion; the one reiterated complaint which we meet with on all sides is that men were seeking their private lucre and singular advantage, without having due care for the prosperity of the community. Artisans who withdrew from the pressure of burgh rates and the restrictions of craft gilds, landlords who raised their rents, miners who did their work in the easiest way[1], capitalists who asked

[1] A petition was made in 1532 about the harbours of Plymouth, Dartmouth, Fowey and Falmouth. That where the said Portes have byn in tyme paste the principall and most commodious havens and portes within this Realme, for the rode, suertie and preservacion of Shippes, resorting from all places of the World, aswell in perill of Stormes as otherwise; For where before this tyme all manner of Shippes beynge under the portages of viii. C. tonnes resorting to any of the saide portes or havens myght at the lowe water easely entre into the same and there lie in suertie what wynde or tempest soever dyd blowe, By reason wherof not only a greate multitude of Shippes as well of this Realme as of other Regions and Countreis before this tyme have been preserved and saved, but also in tyme of warre *the said havens and ports have been the greatiste fortificacion of that partie of*

for a definite return on their capital, were all branded as the victims of covetousness, not merely by preachers and writers, but in public documents. A.D. 1485—1558.

The politicians of the sixteenth, seventeenth and greater part of the eighteenth century were agreed in trying to regulate all commerce and industry, so that the power of England relatively to other nations might be promoted; and in carrying out this aim they had no scruple in trampling on private interests of every kind. The main principles of the scheme of policy which dominated in England during this long period have been sketched above[1], but it may be convenient to repeat them a little more fully, as they furnish the framework on which the facts of the succeeding periods in the national life may be most clearly exhibited. *Mercantile policy.*

Power depends on (*a*) the accumulation of Treasure, (*b*) the development of Shipping, and (*c*) the maintenance of an effective Population. *Power as dependent on*

(*a*) The accumulation of Treasure, in a country which has no mines, depends on the proper management of commerce, whether by (*a*) making regulations for the flow of the precious metals and the exchanges, or (*β*) by making regulations for the export and import of commodities. From this point of view the volume of transactions is much less important as a sign of prosperity than the nature[2] of the trade that is being carried on. *Treasure.*

(*b*) A strong navy was obviously necessary for defence, and with this purpose it was desirable to encourage the *Shipping*

this Realme and the speciall preservacion of the great parte of the Navie of the same, Which said portes and havens ben at this present tyme in manner utterly decayed and destroied by means of certain Tynne workes called Streme workes used by certain personnes within the said Counties which personnes *more regarding their own private lucre than the commonwelthe and suertie of this Realme* have by working of the said Streme workes digging, serching, washing of the same nere unto the fresshe rivers, waters and lowe places dissending and comming oute of the londe towards and into the saide portes of the sea, conveyed sand, gravel and rubbish which filled up the havens so that a ship of 100 tons could hardly enter at half flood. Tinners were to have "sufficient hatches and ties in the end of their buddels," and thus keep the sand from being washed away by the streams. 23 H. VIII. c. 8. The italicised passages are instructive; in this century we should be afraid of hampering industry and would be likely to let the tinners do their worst and then try to dredge out the gravel from the Harbours.

[1] See above, p. 470.

[2] Thus in the controversies at the beginning of the eighteenth century the trade with France was constantly spoken of as a 'losing' trade. Vol. II. p. 396.

A.D. 1485 —1558. employment of English ships; hence we have a whole series of navigation acts, while attention was also directed to measures for procuring the materials for shipbuilding and necessary naval stores. It was also felt to be a matter of the first importance that we should encourage the fishing trade, as that was the best school for seamen.

Subject to the restrictions about the kind of trade and its bearing on treasure, the increase of the volume of trade was important, as it not only gave a larger sum in customs but also stimulated the development of shipping. Hence there was a preference for distant trade over coasting trade, as it gave more employment to ships, while the commodities of distant lands were often things that could not be produced at home. On the other hand, the planting of new trades in England, the development of our industry, and the retention of all the arts in which we excelled, enabled us to dispense with purchases from rival lands and gave us more products which we might sell in the markets we frequented. This also tended to give employment to our own people and so to maintain an effective population. Hence arose all the attempts to regulate industry; it did not itself directly promote power, but it could be so managed as to give a stimulus to the accumulation of treasure, and lead to the development of commerce as well as provide favourable conditions for the population.

Population. (*c*) This last object depended most immediately and directly on the food supply. Sufficient corn could be most easily secured by the encouragement of tillage, though the fisheries were also an important source of supply; tillage also gave the kind of employment which was most favourable for the maintenance of a healthy and vigorous race, accustomed to outdoor sports and likely to offer the best material for forming a military force.

The end in view was Power; this was furthered by attention to Treasure, Shipping and Population; while these objects could only be attained by the careful regulation of Industry and Tillage. Such in brief is the *rationale* of the so-called Mercantile System, which had been gradually coming into operation since the time of Richard II., and which

survived with much vigour in some of its parts till Cobden and Bright completed the revolution in English policy. A.D. 1485—1558. A.D. 1846.

The long period when these principles of commercial policy dominated in England can be conveniently divided according to political considerations; but here again there is a difference from the periods we have already reviewed. Since shipping and treasure, as the handmaids of power, have become the main objects of importance, we are compelled to look, not so much at the main changes in constitutional structure, but at the changes in political relations. It has been noted above that the personal character of the monarch was, in Norman times, one of the most important factors in industrial life and progress during his reign[1], but the changes from Elizabeth to the Stuarts, from the personal government of Charles to the Commonwealth, or at the Restoration, made very little difference in industrial affairs; a similar system of policy was carried out, with more or less skill, and more or less success, through all these sweeping constitutional changes; their chief effect lay in altering our political and trading relationships with other nations. Hence the epochs which form the most convenient divisions of the history of the Mercantile System in England will be found in the accession of Elizabeth, and entire breach with the rulers of Flanders; the accession and fall of the Stuarts, coinciding with the period of bitter rivalry with the Dutch; the Revolution serves to date the outbreak of a life and death struggle with the French for supremacy in the East and in the West; the victories of Clive and Wolf marked its greatest triumph, and the revolt of the American colonies was the beginning of its fall. From that time onwards we can trace the steady and rapid decline of the system which had held sway so long. *Political relationships.*

II. Accelerated Rate of Change:

137. The views and schemes above described were slowly coming into operation much more clearly than they had done during the fifteenth century. From the accession of the Tudors onwards we hardly hear of serious attempts on *The balance of power.*

[1] See above, p. 136.

A.D. 1485—1558.

the part of English kings to acquire great continental possessions,—not because they were less powerful than their predecessors, nor certainly because they were less ambitious, but because their ambition took a new form. They felt that it might be possible to exercise a practical sway over the affairs of Europe by holding the balance between rival powers. The foreign policy of England took this shape during the time of Henry VIII.[1]; and Elizabeth succeeded in playing off her angry neighbours against one another. "True it was," as Camden said[2], "which one hath written, that France and Spain are as it were the Scales in the Balance of Europe, and England the Tongue or Holder of the Balance." The ambition of an English statesman was to hold the balance, not merely to be a passive tongue that announced the relative position of the other monarchies, but an active member that could decide it.

Effect of the discoveries

So far as they desired to extend English power, they were fired with an ambition to share in the riches of the New World; these recently discovered lands stretched more widely than the provinces of France and could be far more easily won. Lord Herbert of Cherbury sketches this prospect as it appeared to the more far-seeing statesmen who, in 1511, endeavoured to dissuade Henry from reviving his claim to the crown of France.

On schemes of continental conquest.

"Some yet, that did more seriously weigh the Business, reasoned thus; that the Kings Title indeed in France, especially to the Hereditary Provinces was undoubted, the Occasion fair, and many Circumstances besides conducing to this great Business: yet that all these were not sufficient for the making of a War against so potent a Neighbour, unless there were more than Possibility of effecting our Purposes. This they might consider by comparing these Times with the former. And if when all Guyenne, Anjou, Tourrain and for a long while Normandy was ours; and when besides this the Duke of Britany was our Friend, and the House of Burgundy an assured Ally and Confederate to this Kingdom, we yet

[1] On the connection between the commercial and political theories consult Baron v. Heyking's admirable *Geschichte der Handelsbilanztheorie*.

[2] Camden, *Elizabeth* (1688), 223.

could not advance our Designs in that Country, what Hope is there now to attain them? Are we stronger now than at that time? Or can we promise ourselves better Success? Let it be granted, that as many Battles as we have fought against the French have been almost so many victories, What was the Kingdom the better for them; who can say he made a fortune thereby; Had we ever a more glorious Time than that of Edward III.; and was yet the Country ever more poor or weary of the Wars? If you will not believe our Histories, look even on our Records, and you will find not only how the Treasure of our Kingdom was much exhausted but even the People themselves glutted with their Prosperity? And shall we now trust to better Days? What though with over 12,000 or 15,000 we have oft defeated their Armies of 50,000 or 60,000? Stands it with Reason of War to expect the like success still? especially since the Use of Arms is changed, and for the Bow, proper for men of our Strength, the Calaveer begins to be generally received. Which besides that it is a more costly Weapon, requireth a long Practice and may be managed by the weaker Sort. Let us therefore in Gods name leave off our attempts against the *Terra firma*. The natural Situation of Islands seems not to sort with Conquests in that Kind. England alone is a just Empire. Or when we would enlarge ourselves let it be that way we can, and to which it seems the eternal Providence hath destined us, which is by Sea. The Indies are discovered, and vast Treasure brought from thence every Day. Let us therefore bend our Endeavours thitherward, and if the Spaniards or Portuguese suffer us not to join with them there will be yet Region enough for all to enjoy. Neither will a piety equal to that of succouring Julius II.[1] be wanting, since by converting those Infidels to the Christian Religion, there will be a larger field opened for doing of Good, than by establishing a doubtful and controverted Head[2] of the Church[3]." Whether this be a trustworthy report or not, A.D 1485—1558.

[1] Who was urging England to attack France and thus aid him.

[2] The Council of Pisa had determined to depose him.

[3] Lord Herbert of Cherbury, *Life and Reign of King Henry VIII.* (Ed. 1711), p. 17.

A.D. 1485—1558.

it is certainly an excellent statement of the policy which came to be more and more popular from that time onwards, and it gives precision to the more general remarks which have been made above.

The accumulation of treasure

138. That the importance of Treasure was fully recognised appears very clearly in some words which Bacon[1] puts into the mouth of Cardinal Morton, as a speech to the Commons. "His Grace prays you to take into consideration matter of trade as also the manufactures of the kingdom, and to repress the barren and bastard employments of moneys to usury and unlawful exchanges, that they may be (as their natural use is) turned upon commerce, and lawful and royal trading; and likewise that our people be set on work in arts and handicrafts, that the realm may subsist more of itself, that idleness be avoided, and the draining out of our treasures for foreign manufactures stopped. But you are not to rest here only, but to provide further that whatsoever merchandize shall be brought in from beyond the seas may be imployed upon the commodities of this land; whereby the kingdoms stock of treasure may be sure to be kept from being diminished by any overtrading[2] of the foreigner. And lastly because the King is well assured that you would not have him poor that wishes you rich; he doubteth not but that you will have care, as well to maintain his revenews, of customs and all other natures, as also to supply him with your loving aids, if the case shall so require....And you know well how the Kingdoms about you grow more and more in greatness, and the times are stirring, and therefore not fit to find the King with an empty purse."

by Henry VII.

To do Henry VII. justice he took great pains to provide against this contingency; he was not always too careful as to the means he adopted; he was a king "that loved wealth and treasure, he could not endure to have trade sick[3]," but the course of trade was a slow and uncertain means of replenish-

[1] *History of Henry VII.* (Spedding), VI. 79. See also on p. 75, note 1.

[2] Not outrunning his capital or credit, but "overballancing us in trade" so as to export bullion.

[3] Bacon, *Henry VII.* (Spedding), VI. 172.

ing the royal coffers, and the sums that he acquired by the more rapid means of 'Morton's Fork' and the exactions of Empson and Dudley are proverbial. Perkin Warbeck's proclamation called public attention to these "extortions, the daily pillaging of the people by dismes, tasks, tallages, benevolences and other unlawful impositions[1]," but there was no change after the insurrection was put down; a great treasure may have seemed the best security against other pretenders. In 1497 the Milanese ambassador reported that Henry was perfectly secure, partly through his wisdom and partly on account of his treasure, which was even then said to exceed 6,000,000 golden ducats and to which he was adding at the rate of 500,000 per annum; this he might easily do, for his revenue was great and real, not a mere written schedule, and his expenditure was small[2]. Indeed it was not till he was firmly seated on the throne that his most oppressive exactions began. "As for Empson and Dudley's mills[3] they did grind more and more. So that it was a thing strange to see what golden showers poured down upon the King's treasury at once. The last payments of the marriage money from Spain. The subsidy. The benevolence. The recoinage. The redemption of the city's liberties. The casualties.... He needed not to make riches his glory, he did excell in so many things else; save that certainly avarice doth ever find in itself matter of ambition. Belike he thought to leave his son such a kingdom and such a mass of treasure, as he might choose his greatness

A.D. 1485—1558. *Various exactions.*

[1] He also promised to "see that the commodities of our realm be employed to the most advantage of the same, the entercourse of merchandize betwixt realm and realm to be ministered and handled as shall more be to the common weal and prosperity of our subjects." Bacon, who quoted from the original document, *Henry VII.* (Spedding), VI. 169. At the same time it is noticeable that there is far less managing of trade in the public interest than in some of the preceding reigns. The navigation laws were hardly enforced; despite the decay of tillage, there was no attempt so far as I have noticed to pass laws about the exportation of corn so as to favour the farmer. The new modes of warfare had given a special importance to bell-metal and the export of it was forbidden (33 H. VIII. c. 7, 2, and 3 E. VI. c. 37), as the import of bowstaves had been encouraged in preceding reigns.

[2] Brown, *Calendar*, I. 261, No. 751.

[3] Their method of misusing legal forms and penal laws for the purpose of extortion are described by Bacon, *Henry VII.* (Spedding), VI. 217.

A.D. 1485 —1558. *Henry VIII.*

where he would[1]." In this ambition he certainly succeeded. Henry VIII. inherited a treasure which seemed to be simply fabulous, and, whatever the total mass may have been, it would have an enormous purchasing power in the early years of the century, before the flow of silver from Potosi and the rich mines of America had begun.

Though Henry VIII. was personally extravagant and soon ran through this large sum, he had resources to draw upon which his father had left untouched. The nobles, the towns and the Cornish miners had felt the pressure of that hand; it was left for the Defender of the Faith to appropriate the lands of the monasteries, and to eke out his resources by debasing the coinage. Edward VI. continued the confiscations and the debasement. The sense of insecurity and the confusion of the currency disturbed the whole social fabric, but they did not do much to replenish the royal coffers.

Confiscation and debasement of coinage.

Trade.

Like the Portuguese and other monarchs of the time the Tudors also tried to reap a direct benefit from the expanding commerce of the world. Henry VII. and Elizabeth made some efforts to participate in the profits, but not in the risks of trading with the New World; Henry VII. was quite unsuccessful in the attempt, and the gains of the English ships upon the Spanish main in the days of the Virgin Queen did not always arise from legitimate trading.

139. The Tudors thoroughly understood the possibility of treasure being brought to England in the course of trade, but they also realised that it could be most easily secured for the use of the Crown by extortion, or confiscation, or piracy. The exactions of Henry VII. must have added to the pressure on the citizens of corporate towns, as well as on the agriculturist; industry and tillage could scarcely revive in his reign; but the high-handed proceedings of Henry VIII. and Edward VI. added new difficulties both to rural economy and to mercantile dealings. The disintegration of society became complete; and the institutions, which had already begun to decay, could not survive the shock they then

By exactions and confiscations

[1] Bacon, *Henry VII.* (Spedding), VI. 225. Some of the chantries he founded for perpetual prayers for his soul were obtained by diverting ancient endowments to himself.

received. With some exceptions in regard to shipping, and possibly in regard to the repair of the towns, there is no improvement, no reconstruction which can be traced to the reigns of the Tudor kings; the blight which fell on England with the hundred years' war, was not removed when peace once more reigned. It was indeed necessary that the throne should be secured from pretenders and the crown strong enough to be above the intrigues of king-making nobles; but the social anarchy which was produced under the Tudor *régime* was a heavy price to pay for the privilege of living under the tyranny of such a king as Henry VIII., and of such place-hunters as Cromwell, Somerset or Northumberland. A.D. 1485—1558.

Even under the most favourable circumstances the marvellous commercial expansion which followed on the discovery of America would have involved rearrangement within the realm, and considerable social change. Old institutions cannot readily adapt themselves to changed conditions; but while better rulers would have set themselves to diminish the evils and render the transition as smooth as might be, the action of the Tudors tended in every way to aggravate the mischiefs. The towns were decaying, and Henry VII. pressed on them unnecessarily for additional grants; the decline of tillage and increase of grazing was a national danger, and Henry VIII. transferred large tracts of land to courtiers who evicted the tenantry, and lived as absentees on the profits of their flocks. The minister of Edward VI., who was so ready to rob churches, seems to have had no scruple in continuing and increasing a public injury by the debasement of the coinage. The rising of the commons under Arundel and Kett were startling expressions of the grievances which were felt in all parts of the country; other evidence is supplied by the frequency and severity of the poor laws which were called forth by the misery which ensued from the disorganisation of the whole economic system.

the necessary evils of transition were aggravated.

III. Shipping.

A.D. 1485—1558. *Navigation acts* A.D. 1485

140. The navigation policy, which had been begun under Richard II., was fitfully maintained under Henry VII. In response to complaints of the decay of shipping and the lack of employment for mariners, the traders with Gascony were compelled to import their wine and woad in English ships manned with English sailors[1], when they could be obtained. The king was personally in favour of this policy, for he rarely granted exemptions, though the sale of licences to use foreign ships would have been an easy source of revenue; it was one of which Henry VIII. availed himself so frequently that the law became a dead letter[2], and there are contemporary complaints of the laxity which prevailed, especially when compared with the very strict navigation laws which were in force in Spain[3]. Wolsey was apparently not disposed to insist on a regulation which undoubtedly rendered wine less plentiful in England, so as to diminish customs and raise prices[4], but Cromwell took a different line[5]. In 1540 a very complete act was passed for "the maintenance of the navy"; it calls attention in the preamble to the insular position of England, and adds that "the navy or multitude of ships of this realm in times past hath been and yet is very profitable, requisite, necessary and commodious as well for the intercourse and concourse of merchants transporting and conveying their wares and merchandises as is above said, and a great defence and surety of this realm in time of war as well to offend as defend, and also the maintenance of many masters mariners and seamen, making them expert and cunning in the art and science of shipping and sailing, and they and their wives and children have had their livings of

A.D. 1489

relaxed

and re-enforced.

[1] 1 H. VII. c. 8; 4 H. VII. c. 10.

[2] See the table in Schanz, I. 370.

[3] Schanz, II., No. 138. Starkey, *Dialogue*, 174.

[4] Brewer, *Calendar*, III. part ii. 639, No. 1544. In the time of Edward VI. when the navy of England had again declined, the act in favour of shipping wine and woad in English ships was repealed, as it tended to keep up the price in England to an excessive rate. 5 and 6 Ed. VI. c. 18.

[5] 23 H. VIII. c. 7.

and by the same, and also hath been the chief maintenance and supportation of the cities, towns, villages, havens, and creeks, near adjoining unto the sea coasts, and the kings subjects, bakers, brewers, butchers, smiths, ropers, shipwrights, tailors, shoemakers, and other victuallers and handicraftsmen inhabiting and dwelling near unto the said coasts have also had by the same a great part of their living"; but the complaint continues that the navy was diminished and the towns on the coast decayed, and that "diverse persons not regarding the maintenance of the said navy, nor yet the commodities and profits coming and growing unto this realm by occasion of the same, for their own singular lucre and advantage" had not refrained from infringing the existing laws against importing in foreign ships. The old laws were re-enacted, and the freights were strictly defined for goods of various sorts from different ports; inducements were offered to aliens to make use of English ships, and arrangements were made for the publication in Lombard Street of notice of the sailings of ships[1]. This act gives a clear statement of the political objects of the navigation acts, while the recognition of the coasting population, and the attempts to remove the practical difficulties which had rendered previous measures inoperative, show a considerable advance on the laws that had been already passed. A.D. 1485—1558.

141. The protection of merchant shipping also engaged the attention of King Henry VIII.; when the war broke out between France and Spain assisted by England, an attempt was made by the two monarchs jointly to organise a regular fleet to keep the seas. Ferdinand and Henry were each to furnish 3000 men; the English fleet were to guard the coast from the mouth of the Thames to "the Trade[2]," and the Spanish ships were to be on duty beyond that limit[3]. The English Admiral, Sir Edward Howard, was to scour the sea[4], and to give protection to the merchant ships which were to *Safety of merchant shipping.* A.D. 1511.

[1] 32 H. VIII. c. 14.

[2] Not as Macpherson interprets it, Gibraltar, but either the Trade or Rade of Brest (Brewer, *Calendar*, I. 559, No. 4005), or the roadstead of Bronage near Oleron. Pigeonneau, *Hist. de Commerce*, II. 116.

[3] *Fœdera*, XIII. 315.

[4] Ibid. XIII. 326.

A.D. 1485—1558. sail under his directions, and the whole fleet was so far as possible to keep together; they were to revictual at Cowes when necessary, and the rates of pay per man, at which Sir Edward undertook to maintain the captains, crews and soldiers on the eighteen ships[1] under his command, are specified in detail.

Commercial treaties. But protection was needed for English merchants, not only during time of war, but in the actual conduct of their business as well. Two great commercial treaties were made by Henry VII. which are of very considerable interest, as they refer to very different trades and were concluded with powers whose trading policy was exactly opposite. The kings of Norway had always regarded Iceland as a sort of royal domain, and trade was carried on either in royal ships or with special royal permits. Bergen was appointed as the staple, and all foreigners were required to trade through this mart; but English merchants found that they could drive a very profitable trade by smuggling to Iceland[2], and this business was prosecuted, on a large scale, from Scarborough and later from Bristol, and was as usual combined with piracy and pillage[3]. Henry V. prohibited this illicit trade[4], and parliament followed his example in 1429[5]; but from the numerous outrages of which we read, there is every reason to believe that the trade continued to exist, despite these attempts at repressing it.

Trade with Iceland

A.D. 1415

Henry VII. was able to obtain an advantageous settlement of this difficulty at a time when the extensive pretensions of the Hanse League had rendered it very unpopular in Scandinavia and Denmark, and when there was a general desire to enter into friendly commercial relations with England. By the terms of the Treaty[6] of 1490, the English had all their former privileges reassured, particularly the right of forming

permitted.

[1] The Regent of 1000 tons was the largest of the rest, 1 was of 500 tons, 3 of 400, 1 of 300, 1 of 240, 1 of 200, 1 of 180, 2 of 160, 2 of 140, 4 of 120, and one of 70 tons. The admiral had 10*s.* a day, the captains 1*s.* 6*d.* a day, the soldiers and marines 5*s.* a month for wages and an allowance of 5*s.* a month for victuals. *Fœdera*, XIII. 326.

[2] See above, p. 418.

[3] Schanz, I. 254.

[4] Rymer, IX. 322.

[5] 8 H. VI. c. 2.

[6] Rymer, *Fœdera*, XII. 381.

companies and electing their own Aldermen; they had favourable terms given them in regard to customs and the recovery of debts, and they were permitted to trade direct with Iceland, on paying the customs there. A.D. 1485—1558.

Another great commercial treaty, which was signed some months later, presents many points of interest and is in itself evidence of the development of English trade with the Mediterranean. This was probably due to the remarkable scheme, which Florence had tried experimentally and at length embraced heartily, of abandoning protective tariffs and navigation regulations and adopting a policy of Free Trade[1]. The neighbouring cities and Venice were most jealous of the Tuscan capital, more especially as she could now obtain the raw material for her woollen trade at an easier rate; it was to the advantage of the Florentines that English wool merchants should make the port of Pisa, where they already had a consul, a regular depôt, while the Florentine connections with Constantinople[2] and Egypt[3] rendered it very desirable for the English to establish a footing there. The Venetians were greatly perturbed when they heard that the project of establishing an English Staple for wool at Pisa was seriously under consideration, and in private letters to their agent in England, as well as public despatches to the Lord Chancellor and Lord Mayor, they argued against the scheme as prejudicial to English interests, and threatened that if it were carried out they would no longer send their galleys to England[4]. In the treaty as finally drawn up[5] it was agreed that 600 sacks of wool should be allowed to go to Venice, but that the rest of the wool required for all Italian towns should be shipped to Pisa in English ships. Englishmen were to be put on the same footing as the scholars who resorted to Pisa, and they might if they wished form a company and elect officers to have

A.D. 1490.

Mediterranean trade.

Pisa.

[1] The gradual reduction of duties was carried through bit by bit with a most careful examination of the results as shown in trade statistics for different periods. It is described in detail by Pöhlman, *Die Wirthschaftspolitik der florentinen Renaissance*, pp. 117 seq. (*Preisschriften gekrönt von der jablonowskischen Gesellschaft*, XXI.), Leipsic, 1878.

[2] Heyd, II. 336.

[3] Ibid. II. 477, 485.

[4] Brown, *Calendar of State Papers* (Venetian), I. 185, Nos. 561, 562.

[5] Rymer, *Fœdera*, XII. 390.

A.D. 1485—1558. jurisdiction over their affairs. This was probably the first attempt at establishing a regular factory of English merchants in the Mediterranean; but trade was soon pushed farther eastwards, for in 1513 Baptista Justiniano, a Genoese, was appointed consul for English merchants in Scio and the Archipelago[1], and an Englishman, Dionysius Harris, was appointed consul in Candia in 1530[2]. The articles of trade to the Levant were those in which grocers dealt; it is probable that these merchants were members of their company, and that the Turkey Company grew out of the Grocers[3], much as the Merchant Adventurers was an offshoot from the Mercers.

The Levant.

While these new developments of English trade were being carefully fostered, attention was also given to the trade with the Netherlands. It had indeed greatly changed its character; the weaving industry in the neighbourhood of Bruges had declined[4], as that of England increased; the trade in wool was inconsiderable, but England was trying to secure a footing for the regular sale of her cloth. Antwerp had come to be the centre of the commercial world[5], and it offered advantages which neither Calais[6] nor any other town afforded to the merchant. Henry VII. was fully alive to its A.D. 1496. importance; he succeeded in re-establishing commercial relations by means of a treaty, the Magnus Intercursus[7], which gave rise to general rejoicings[8]; and pressed for and obtained an agreement against the arbitrary increase of customs beyond the rates which had obtained "from the beginning of the world to the present time[9]" in 1506. This measure proved ineffective, but it set forth an ideal[10], which Henry VIII. and his ministers strove to realise, with but indifferent success. The political and religious[11] conflicts of the time

[1] Rymer, *Fœdera*, XIII. 353; XIV. 424.
[2] Ibid. XIV. 389.
[3] Heath, *Grocers Company*, 89.
[4] Schanz, I. 32.
[5] Ibid. 30.
[6] Hall, *Chronicle*, 724, 729.
[7] Rymer, *Fœdera*, XII. 578.
[8] Schanz, I. 18.
[9] Rymer, *Fœdera*, XIII. 133.
[10] Schanz, I. 39.
[11] Bishop Creighton has kindly pointed out to me a case in point when Pope Clement demanded that the King of England should not admit into his realm merchants from those parts of Germany which had not submitted to the Edict of Worms, since they might be suspected of heresy. The king was loth to take this step; "dubitando forse che poi li Osterlingi non se movesseno

caused frequent interruptions[1] to trade, and the jealousy of the new commercial and surviving industrial interests in the Low Countries complicated the matter. Despite these difficulties, however, the English seem to have advanced on the whole, for we see signs of progress in the organisation of the merchants who traded with the Netherlands. They claimed to exercise privileges granted by the Duke of Brabant in the time of King John, but the body probably came into existence in 1407, when Henry IV. granted the Adventurers the privilege of a consul at Bruges[2]; they had developed out of the Mercers Company in London, and had local connections in Newcastle, Boston, Exeter, and many other towns[3]. Though nominally national, their main strength was in London, and provincial merchants regarded them with jealousy; like the other companies of the time they became more and more exclusive, and they raised the entrance fees from 6*s.* 8*d.* to £20[4]; Henry VII. pursued the sound policy of reducing the entrance fine to ten marks (£6. 13*s.* 4*d.*). But while checking the exclusiveness of the company he gave it a much more complete constitution[5] than it had hitherto possessed; the members were to choose a governor and twenty-four assistants, who were to have authority to hear complaints, levy fines, and make and enforce regulations, while all the merchants trading within their limits were to submit to their authority. Their head-quarters were to be at Calais, and they soon got into difficulties with the merchants of the Staple as to their respective rights and jurisdiction[6]; but it is unnecessary to attempt to follow the struggle in detail or to adjudicate on the merits of the case.

A.D. 1485–1558.

A.D. 1505.

Proposed mart at Southampton.

The difficulty of adjusting the conflicting claims of the different bodies of merchants comes out in a curious paper, written by King Edward VI., which contains an abortive project for opening a great mart at Southampton. It was

contra di se retenendoli quel polvere usa li Inglesi a conservar le sue pecore, senza el qual in minor termine de dui anni morerieno tutte." Baulan, *Monumenta Reformationis Lutheranæ*, p. 360.

[1] The story of these diplomatic efforts, their partial success and occasional failure is told by Schanz, *Handelspolitik*, I. 55 fol.

[2] See *Appendix C.* [3] Gross, *Gild Merchant*, I. 153.

[4] 12 H. VII. c. 6. [5] Schanz, II. No. 121. [6] Ibid. II. No. 124.

A D. 1485 —1558.

proposed that for five weeks after Whitsunday, merchants should be encouraged to frequent Southampton, by a remission of half the usual customs on goods landed there; business was to be suspended in the neighbouring counties; and it was thought that Southampton would soon rival Antwerp as a commercial depôt. The mart was to be closed before the time of S. James's Fair at Bristol and Bartholomew Fair in London, so as not to interfere with them. It was thought that in the disturbed condition of the Netherlands, the Channel might provide safer means of communication than the land routes; that continental merchants would frequent our island, bringing bullion with them; and that English merchants would carry on trade in greater security, as they would not be liable to arrest for every light cause. The whole project was mooted in consequence of the unsettled state of the Continent. It was evident that there would be some difficulty in changing the channels of commerce, though this perhaps might be done when the advantages of the new harbour and depôt were understood; but the chief obstacle lay in the privileges of the Hanse Merchants and of the Merchants of the Staple, while the Merchant Adventurers would be unwilling to break up their factory at Antwerp. Whether any serious attempt was made to carry this scheme into effect does not appear; had it succeeded, the king contemplated opening a similar mart at Hull, some time after Stourbridge Fair, but before the northern seas became unsafe from the 'Great Ices[1].' The day when commerce could be advantageously controlled in this fashion had however gone by; companies of traders were pushing their business in the places where they found that it could be made to answer; some of the evils which King Edward proposed to rectify were cured, not by our merchants withdrawing to the limits where the king could protect them, but by their making good their footing abroad, so that they were able to protect themselves.

Expected advantages.

[1] Burnet, *History of Reformation; Collection of Records*, v. 109. The whole is worth perusal, as it throws a very interesting retrospective light on the changes of the place where the staple for wool was held under Edward III.; especially it brings out the reasons why parliament was so much inclined to hold the staple in England. See above, p. 316.

While the Merchant Adventurers were prospering abroad, A.D. 1485—1558. the position of their ancient rivals the Hanse League became less and less secure; internal dissensions loosened the bond between the various towns which were its members. Danzig had always maintained a somewhat independent policy[1], and the authorities of Riga concluded a separate treaty with A.D. 1498. Henry VII.[2]; the English antipathy to the Hansards did not diminish[3], and in 1551 the Merchant Adventurers urged on the Privy Council that these merchants had abused their privileges and ought to forfeit them. After mature consideration the special privileges which had been granted them were resumed and they were put on the same footing as other merchants alien[4]. King Edward VI. was obdurate, despite repeated appeals, and they never regained their old position. The action they had taken in support of Edward IV. probably gave them a longer tenure of their special privileges in England than they would otherwise have possessed; but the fact that they could no longer hold their own in London shows how much English commerce had developed. Not only had native merchants succeeded in ousting foreigners from the internal trade of the country, but they were able to do a large proportion of its foreign business as well. *The Hansards in England.*

142. The condition of the coasts and harbours of England exposed our ships to many serious risks, and Henry VIII. took an excellent step towards reducing the losses when he incorporated the Fraternity of the Holy Trinity at Deptford. There is every probability that there was some gild already existing among the pilots on the Thames, and that Henry VIII. reconstituted and incorporated it; the original documents relating to this venerable body were destroyed by a fire in 1714, but copies of the charters of Henry and Elizabeth survived. According to the original charter they were A.D. 1514. empowered to frame "all and singular articles in any wise concerning the science or art of mariners"; and to make ordinances "for the relief, increase and augmentation of this our realm of England." They were governed by a governor, *Trinity House.*

[1] Schanz, I. 228.
[2] Rymer, XII. 701.
[3] Armstrong in Pauli, *Drei wirthschaftliche Denkschriften*, 36.
[4] Wheeler, *Treatise of Commerce*, 57. Biddle, *Sebastian Cabot*, 186.

A.D. 1485–1558. wardens and assistants, and had jurisdiction over all offenders against their rules, while they had power to sue and to hold

A.D. 1566. real property[1]. By the first charter of Elizabeth[2] they were also empowered to erect beacons and sea marks, which were much needed in consequence of the destruction of certain steeples and natural landmarks on the coasts, and in 1594 she conferred on the incorporation all the rights connected with beacons, buoys and ballastage which had hitherto been enjoyed by the Lord High Admiral of England, and which were now formally relinquished by Lord Howard[3].

Improvement of harbours A.D. 1541. A body was thus established which had general oversight over the coasts and harbours, but special attention was given to the requirements of particular localities. There was a very large outlay in making piers at Dover[4] and Scarborough[5], and parliament intervened to prevent the harbours of Devonshire and Cornwall from being injured by the operations of the miners[6]. Similarly provision was made for the ruined condition of Rye and Winchelsea in 1549[7]. Henry VIII. also made a beginning in the work of fortifying the Thames; the river was so exposed to the attacks of pirates that Henry IV. had narrowly escaped capture when crossing the river, and all his baggage had fallen into the enemy's hands[8]. A fort was

A.D. 1513. now erected however at Gravesend, and another opposite it on the Essex shore[9], and Londoners[10] were able to rest in greater security than they had done before.

Arsenal. Henry VIII. also attempted to establish a naval arsenal; this too was settled at Deptford[11]. So long as there had been no royal navy, there was of course no need for royal docks or magazines for naval stores. But Henry was really bent on having a well-equipped fleet; the destruction by fire of the *Regent*, his great ship of 1000 tons, set him on building another, the *Grace de Dieu*, which should be of still larger dimensions; and there was decided need for an arsenal, like the celebrated one at Venice, for building and fitting ships.

[1] J. Cotton, *Memoir of the origin and incorporation of Trinity House* (1818), 161.
[2] Ibid. 166.
[3] Ibid. 169.
[4] Pennant, *Journey from London to Isle of Wight*, I. 197.
[5] 37 H. VIII. c. 14.
[6] 23 H. VIII. c. 8. See above, p. 480.
[7] 2 and 3 E. VI. c. 30.
[8] Holinshed, 1407.
[9] Macpherson, *Annals*, II. 46.
[10] Denton, 89.
[11] Macpherson, II. 46.

143. In this connection we may notice one or two indications of what was afterwards an important part of the policy of developing shipping. In Elizabeth's and subsequent reigns great pains were devoted to increasing the supply of naval stores and materials used in shipbuilding; one little enactment shows that Henry VIII. was alive to the importance of so doing. The decline of arable farming had affected the growth of other sorts of produce besides corn, and for naval purposes it was most desirable to have a good supply of hemp. This was probably the intention in insisting on the cultivation of hemp, as well as flax, in a statute[1] which recites the mischief which accrued from dependence on other countries for linen cloth; a quarter of an acre was to be in flax or hemp, for every sixty acres of tillage. A.D. 1485—1558. *Naval stores.*

But there was another matter of far greater moment; neither the royal nor the mercantile navy could be well manned unless there were a number of able-bodied sailors from whom mariners might be drawn; and the fishing trades offered a convenient and inexpensive, as well as a thorough, school of seamanship. This was one of the commonplaces of politics in the seventeenth century, when the keenest anxiety was felt about driving the Dutch fishermen out of waters which might have afforded remunerative employment for the men from our own coasts. Neither Henry VII. nor Henry VIII. realised its importance sufficiently to interfere actively in favour of the English fisherman[2]; but in 1549 parliament enacted an extraordinary measure for encouraging the fishing trade by promoting the general consumption of fish. "Albeit[3]," it runs, "the King's subjects now having a more perfect and clear light of the gospel and true word of God, through the infinite cleansing and mercy of Almighty God, by the hand of the King's Majesty and his most noble father of famous memory, promulgate, shewed, declared and opened, and thereby per- *Seamen and fishing.* *Political Lent.*

[1] 24 H. VIII. c. 4.

[2] 33 H. VIII. c. 2. seems to show that the fishing on the east coast was almost extinct, as the men went in boats and bought the fish from foreigners instead of catching it. The strictness with which Lent had been kept comes out in the proclamation of Feb. 9, 1543, which permitted the eating of white meats such as milk, eggs, butter, and cheese, because the supply of fish was short. *Tudor Proclamations.*

[3] 2 and 3 E. VI. c. 19.

A.D. 1485 —1558.

ceiving that one day or one kind of meat of itself is not more holy, more pure or more clean than another, for that all days and all meats be of their nature of one equal purity, cleanness and holiness, and that all men should by them live to the glory of God, and at all times and for all meats give thanks unto Him, of which meats none can defile Christian men or make them unclean at any time, to whom all meats be lawful and pure, so that they be not used in disobedience or vice; Yet forasmuch as diverse of the King's subjects turning their knowledge therein to satisfy their sensuality when they should thereby increase in virtue, have in late time, more than in times past, broken and contemned such abstinence which hath been used in this Realm upon the Fridays and Saturdays[1], the Embering days, and other days commonly called Vigils, and in the time commonly called Lent, and other accustomed times, The King's Majesty considering that due and godly abstinence is a mean to virtue[2] and to subdue men's bodies to their soul and spirit, and considering also especially that Fishers, and men using the trade of living by fishing in the sea, may thereby the rather be set on work, and that by eating of fish much flesh shall be saved[3] and increased, doth ordain" that all statutes and constitutions about fasting shall be repealed, but that all persons who do not observe the usual fast days (Fridays, Saturdays, Ember days, and Lent) shall be fined 10*s.* and suffer ten days' imprisonment for the first offence. This curious effort to maintain, from motives of political expediency, the very usages which were officially condemned as superstitious is characteristic of the times; the measure was taken up with great energy by Burleigh, who regarded it as the best means of encouraging fishing and seamanship.

The discoveries.

144. Though the Tudors did so much for developing English commerce, they took no real part in the great discoveries of the age; Henry VII. had the opportunity

[1] There is reason to believe that Saturday had *not* been generally observed as a fast in England, though the practice was enjoined by a Roman Council in 1078. Thomassin, *Traité des Jeûnes*, I. 420.

[2] See the proclamation of June 16, 1548 (lays stress on abstinence as a moral duty). *All such proclamations.*

[3] The main object of the proclamation, March 9, 1551, was to reduce the consumption, and keep down the price of meat. *Tudor Proclamations.*

but wanted the will, and Henry VIII. who had the will to push forward in this matter, was fully occupied with more urgent affairs[1]. England was most favourably situated for the undertaking, and in 1487 while Christopher Columbus was waiting on court favour in Lisbon, his brother Bartholomew[2] went to London to try to interest Henry VII. in the enterprise; he was robbed by pirates on the way, and was glad to get employment at the English court for a time in drawing maps and making a globe, but he was unsuccessful in the main object of his journey. A.D. 1485—1558. *Columbus.*

John Cabot was more fortunate; there is some reason to suppose that he had resided for a considerable time at Bristol, where the interest in maritime discovery was exceedingly strong. On July 15th, 1480, two ships of eighty tons burden belonging to John Jay, a prominent merchant of Bristol, who had served the office of sheriff, and whose monument is in S. Mary's Redcliffe, set sail to the west of Ireland to find the Island of Brazil. They were driven back in September by tempestuous weather, and had met with no success; but it was evidently a serious expedition which had been placed under the charge of "the most skilled mariner in the whole of England[3]," and some students have hazarded the guess that Cabot was the man[4], though it is clear that he was a Welshman named Lloyd[5]. Even if he had not this reputation, however, Cabot was apparently entrusted with the charge of an expedition *John Cabot.* *Bristol merchants.*

[1] Schanz, I. 322.

[2] Peschel, 112.

[3] William of Worcester, *Itinerary* (Dallaway), 153. The author died about 1481 (Ibid. 17), before the actual discovery of America.

[4] F. v. Hellwald, *Sebastian Cabot*, 9; M. d'Avezac-Macaya, *Les Navigations terre-neuviennes*, 10. These writers have discussed the intricate questions connected with the Cabots in some detail, and on the whole their results harmonise. The voyage of 1494 is much questioned and the information furnished by the Paris map has been recently shown to be merely second-hand (Coote, *S. Cabot* in *Dictionary of National Biography*): but the tradition of the early discovery appears to be confirmed by the terms of the Patent granted in 1497 (Rymer, *Fœdera*, XII. 595). Biddle's *Life* is most careful and thorough, but it was written in 1831 and without knowledge of the important documents which have now been published in the *Calendars of State Papers*. The story that he was employed in 1495 by Henry VII. to effect a treaty with Denmark by which Iceland should be made a staple for trade is exceedingly improbable; similar privileges had been granted to English and other merchants in 1490 (Schanz, I. 257 n.).

[5] The name is given variously as Thlyde and Llyde. Dallaway, 153.

A.D. 1485—1558.

which set out from Bristol in 1494, and discovered the mainland of America; he sighted it at five in the morning on June 24, 1494, and called the land Prima Vista, and the island opposite S. John's[1]. Thus far it would seem that the expeditions were sent out at the expense of the Bristol merchants. "The people of Bristol," wrote Pedro de Ayala in 1498 to his masters in Spain[2], "have for the last seven years every year sent out two, three or four light Ships in search of the Island of Brazil and the Seven Cities, according to the fancy of this Genoese. The king has determined to send out, because the year before they brought certain news that they had found land. His fleet consisted of five vessels which carried provisions for one year. It is said that one of them in which went Friar Buil has returned to Ireland in great distress, the ship being much damaged. The Genoese has continued his voyages. I have seen, on a chart, the direction which they took and the distance they sailed, and I think what they have found or what they search is what your Highness already possesses." This document is of great interest in one point of view, as it is confirmatory evidence of the fact that the merchants of Bristol had sent out exploring vessels before the news of the success of Columbus could have reached them.

Royal licence.

King Henry was now willing to patronise these expeditions; he had taken no initiative; according to P. de Ayala he "equipped a fleet in order to discover certain islands and continents which he was informed some people of Bristol had found who manned a few ships for the purpose." The licence *Pro Johanne Cabote et Filiis suis super Terra Incognita Investiganda*[3] empowers Cabot to fit out five ships at his own expense, but confers a strict trading monopoly with all the lands he might discover, on the condition that a fifth part of the capital gain was to go to the king. Cabot was to go to lands "which have been hitherto unknown to all Christians" and to take possession, plant the English flag, and exercise

[1] A map attributed, but mistakenly (*Dict. of Nat. Biography*), to Sebastian Cabot in the Bibliothèque Nationale at Paris contains this information.

[2] Bergenroth, *Calendar* (Spanish), I. 177, No. 210.

[3] Rymer, XII. 595.

jurisdiction in the king's name over the peoples there. This was in 1496, and Cabot was able after some delay to set out in a single ship the 'Matthew.' The results of this voyage are best described in the language of a contemporary writer. Lorenzo Pasqualigo[1] wrote to his brothers, on October 11, 1497, "The Venetian our countryman who went with a ship in quest of new islands is returned, and says that 700 leagues hence he discovered land, the territory of the Grand Cham. He coasted for 300 leagues and landed, saw no human beings, but he has brought hither to the king certain snares, which had been set to catch game, and a needle for making nets; he also found some felled trees, wherefore he supposed there were inhabitants, and returned to his ship in alarm. He was three months on the voyage, and on his return saw two islands to starboard[2], but would not land, time being precious, as he was short of provisions. He says that the tides are slack and do not flow as they do here. The king of England is much pleased with this intelligence. The king has promised that in the spring our countryman shall have ten ships armed to his order, and at his request has conceded him all the prisoners, except such as are confined for high treason, to man his fleet. The king has also given him money[3] wherewith to amuse himself till then, and he is now at Bristol with his wife, who is a Venetian, and with his sons; his name is Zuan Cabot, and he is styled the great admiral. Vast honour is paid him; he dresses in silk, and these English run after him like mad people, so that he can enlist as many of them as he pleases and a number of our own rogues besides. The discoverer of these places planted on his new found land a large cross with one flag of England, and another of S. Mark, by reason of his being a Venetian, so that our banner has floated very far afield." A.D. 1485–1558.

The patent for this new voyage was granted in 1498; it appears to imply a scheme for colonisation rather than for

[1] Brown, *Calendar State Papers* (Venetian), I. 262, No. 752.

[2] The Milanese Envoy had less accurate information than the Venetian: he says that Cabot had discovered two large islands and the seven cities 400 leagues from England. Brown, *Calendar* (Venetian), I. 260, No. 750.

[3] To him that found the new isle, £10. Biddle, p. 80 n.

A.D. 1485—1558. *Sebastian Cabot.*

discovery or trade[1]. Apparently John Cabot had died in the interval and Sebastian carried out the undertaking, and started from Bristol with five ships; they discovered Newfoundland, and Cabot afterwards stated that he had also made out the route of a north-west passage[2]. But his success did not come up to the expectations of Henry; and Cabot, having entered the service of the king of Spain, was not to be tempted back even by the liberal offers of Wolsey in 1516[3].

Other expeditions.

Though there was so little royal encouragement for the explorers, the merchants of Bristol were not readily discouraged. In 1501 Henry VII. granted a patent to Richard Ward, John Thomas, Hugh Eliot, Thomas Ashehurst, and three Portuguese[4] to go on a voyage of discovery and exercise a trading monopoly. Shortly afterwards a larger scheme was planned[5] and two Bristol merchants with two

A.D. 1502.

Portuguese associates were empowered to establish a trading settlement on the newly-found lands; the king afterwards assigned them a trading monopoly for forty years and granted them some remission of customs on imports.

It is unnecessary to attempt to follow out the results of the different exploring expeditions which were now sent out

Thorne.

to the west. Robert Thorne, a linen merchant, persuaded Henry VIII. to make an attempt at finding the north-west passage to the Moluccas. "With a small number of ships," he urged, "there may be discovered diverse new lands and kingdoms in the which without doubt your Grace shall win perpetual glory and your subjects infinite profit. To which places there is left one way to discover, which is into the north." Spain had already discovered the west and Portugal the east, "so that now rest to be discovered the said north parts, the which it seemeth to me is only your charge and duty, because the situation of this your realm is thereunto nearest and aptest of all other[6]." The expedition did not prosper however, and royal interest in the matter was again

[1] It is printed by Biddle, *Sebastian Cabot*, 76.

[2] Or possibly a north-east passage. Brown, *Calendar* (Venetian), III. 294.

[3] See Schanz, I. 677.

[4] Rymer, XIII. 41.

[5] Ibid. XIII. 37.

[6] Hakluyt, I. 213.

checked, though English enterprise pushed on. Hawkins made his way to Guinea and Brazil in 1530[1], and Southampton merchants began to trade there. Another attempt at discoveries in the north-west was made in 1527 under the advice of a forgotten canon of S. Paul's "which was a great mathematician and a man endued with wealth[2]"; he himself sailed in the *Dominus Vobiscum*. Little resulted from this voyage; but nine years later, Master Hore of London, "a man of goodly stature and of great courage and given to the study of cosmography," planned another expedition. This led to the establishment of the colony which first developed the Newfoundland fisheries; these are mentioned with approval and protected from abuses in 1549[3]. A.D. 1485—1558. *Hawkins.*

Foiled in the west, the English merchants, who complained of a depression of trade, turned their attention, on the suggestion of Sebastian Cabot, to a north-east passage to the Indies[4]. Some London merchants founded a joint-stock company with a capital of £6000 in £25 shares, for prosecuting the enterprise[5]; Edward VI. looked favourably on the scheme and gave them letters to foreign potentates in Latin, Hebrew and Chaldee[6]. The whole of the arrangements were directed by Cabot; but Richard Chancellor and Hugh Willoughby were in charge of the expedition, which set out from Harwich in 1553. Willoughby was forced to winter in Lapland, and he and his companions perished miserably; but Chancellor was more fortunate and succeeded in reaching Archangel. The people, who were "amazed with the strange greatness of his ship (for in those parts before that time they had never seen the like), began presently to avoide and to flee; but he still following them, at last overtook them, and being come to them they prostrated themselves before him, offering to kiss his feet: but he (according to his great and singular courtesy) looked pleasantly upon them, comforting them by signs and gestures[7]. The friendly intercourse thus set on foot, led to the establishment of regular relations. The Russian Company obtained recognition from Philip and Mary[8], and when *North-east passage.* *Chancellor.* *The Russian Company.*

[1] Hakluyt, III. 700.
[2] Ibid. III. 129.
[3] 2 and 3 Ed. VI. c. 6.
[4] Biddle, *Life of Cabot*, 184.
[5] Macpherson, II. 114.
[6] Strype, *Ec. Mem.* II. 76.
[7] Hakluyt, I. 246.
[8] Ibid. I. 265.

A.D. 1485—1558. an ambassador from the Great Duke of Muscovy reached London in 1557 he was received in state by the merchants adventuring for Russia, to the number of 150 persons with their servants, all in one livery[1]. This was a promising trade for it seemed to offer an inexhaustible supply of wood for shipbuilding, hemp, oil, tallow and furs. It also led ultimately to other important openings, for the operations of the Russian merchants prepared the way for the Whale Fishery at Spitzbergen[2], while their connection with Moscow enabled Jenkinson and other English merchants to enter into trading communication with Persia and the east.

IV. The Gilds.

145. While shipping was thus fostered and commercial enterprise was being stimulated into such new activity, there is very little sign of any fresh development of industry; indeed the evidence of contemporaries would lead us to suppose that there had been no recovery from the blight which had fallen upon the urban communities at the time of the Black Death. Complaints of the impoverishment of towns continued under Henry VII., and were supported in the next reign by appeals to the obvious testimony of deserted houses and impassable streets. There is indeed no reason to suppose that the places which had suffered so much from the pressure of taxation and the troubles of the fifteenth century were able to recover under the exactions of Henry VII. Pedro de Ayala describes the general decay in 1498 and ascribes it to its true causes. The king of England "likes to be thought very rich because such a belief is advantageous to him in many respects. His revenues are considerable, but the custom-house revenues, as well as the land rents, diminish every day. As far as the customs are concerned, the reason of their decrease is to be sought in the decay of commerce partly by the wars but much more by the additional duties imposed by the king. There is however another reason for the decrease of trade, that is to say, the impoverishment of the people by the great taxes laid on

Condition of industry.

Taxation

[1] Hakluyt, I. 287.

[2] Macpherson, II. 115.

them[1]." There must have been very real decay when such a king granted large reductions by letters patent,—for example in the fee ferm of York which was allowed to fall from £160 to £18. 5*s.*[2]. When two fifteenths and tenths were granted in 1496 there was a remission at the usual rate[3] amounting to £12,000 in all, and Lincoln and Great Yarmouth obtained specially favourable treatment[4]. There is indeed less mention made of decay in the first thirty years of the sixteenth century; but the facts were again brought forcibly forward when the parliament of Henry VIII. began to put pressure on the owners of houses to repair their property and to remove the rubbish that endangered life in the towns. Norwich had never recovered from the fire of 1508[5]; the empty spaces at Lynn Bishop[6] allowed the sea to do damage in other parts of the town. Many houses were ruined and the streets were dangerous for traffic in Nottingham, Shrewsbury[7], Ludlow[7], Bridgenorth, Queenborough, Northampton and Gloucester[8]; there were vacant spaces heaped with filth, and tottering houses in York, Lincoln, Canterbury[9], Coventry, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester[9], Portsmouth, Poole, Lyme, Feversham, Worcester, Stafford, Buckingham[9], Pontefract, Grantham, Exeter, Ipswich, Southampton, Great Yarmouth, Oxford, Great Wycombe, Guildford[9], Stratford, Hull, Newcastle, Bedford, Leicester and Berwick[10], as well as in Shaston, Sherborne, Bridport, Dorchester, Weymouth, Plymouth, Barnstaple, Tavistock, Dartmouth, Launceston, Lostwithiel, Liskeard,

A.D. 1485 —1558.

A.D. 1487

A.D. 1531 *and decay.*

[1] Bergenroth, *Calendar of State Papers* (Spanish), I. 177, No. 210.

[2] *Rot. Parl.* VI. 390. The Commons of York in 1533 complained of lavish hospitality as one cause of the decay of their city. *Eng. Hist. Review*, IX. 297.

[3] As this sheet was passing through the press my attention was called to Mr W. Hudson's most interesting publication of the assessment of Norfolk, as made in 1334, with the remissions as adjusted in the fifteenth century (*Norfolk Archæology*, XII. 243). The assessments of Blakeney and Wiveton were much reduced, while Cley remained at the old figure. The explanation of the facts is no easy task, but the facts themselves are of great interest.

[4] *Rot. Parl.* VI. 514, also 438. [5] 26 H. VIII. c. 8. [6] 26 H. VIII. c. 9.

[7] Shrewsbury and Ludlow are mentioned both in 27 H. VIII. c. 1, and in 35 H. VIII. c. 4. [8] 27 H. VIII. c. 1.

[9] Canterbury, Rochester, Guildford and Buckingham are mentioned in 33 H. VIII. c. 36, as well as in 32 H. VIII. c. 18. [10] 32 H. VIII. c. 18.

A.D. 1485—1558. Bodmin, Truro, Helston, Bridgewater, Taunton, Somerton, Ilchester, Maldon[1] and Warwick[2]. There were similar dangers to the inhabitants of Great Grimsby, Cambridge, the Cinque Ports, Lewes[3]; and even in the more remote provinces things were as bad, for Chester, Tenby, Haverfordwest, Pembroke, Caermarthen, Montgomery, Cardiff, Swansea, Cowbridge, New Radnor, Presteign, Brecknock, Abergavenny, Usk, Caerleon, Newport in Monmouthshire, Lancaster, Preston, Liverpool and Wigan[4] were taken in hand in 1544. In trying to interpret this evidence, however, we must remember that we are reading of attempts to repair, not of complaints of new decline; the mere fact that such efforts were made was perhaps an indication that things had reached their worst; and we are perhaps justified in inferring from the double mention of some few towns that a real improvement was effected in the others. If the pressure of taxation was such as to prevent recovery after any occasional disaster, like the Norwich fire, these acts for the re-edification of towns may be regarded as marking the extent of the damage done during many preceding years; they are not so much evidence of recent decay, as of a reviving life which was endeavouring to effect an improvement that had been long delayed. It is possible that places like Shoreham and Fowey[5] showed so little sign of returning vigour that it was impossible to make any attempts for their restoration.

Signs of improvement.

Difficulties in the towns.

146. It is of course difficult to speak with any confidence on such a subject; but even if this interpretation of the facts is correct, and the towns were on the whole beginning to recover from long years of disaster, we must not too hastily assume that their prospects were altogether bright; for there were causes at work, other than the pressure of taxation and disasters from pestilence, fire, or piracy, to hamper the industry of the older towns. Attention has been directed in a preceding section to the difficulties caused at Oxford by the stringent policy of Henry VI. about apprentices[6], and to the

[1] Mentioned both in 32 H. VIII. c. 19, and 35 H. VIII. c. 4.
[2] 32 H. VIII. c. 19.
[3] 33 H. VIII. c. 36.
[4] 35 H. VIII. c. 4.
[5] Which were mentioned above as greatly decayed: see pp. 455, 480.
[6] See above, p. 449. 8 H. VI. c. 11, and 7 H. IV. c. 17.

complaints which were made in London of the mischievous ordinances of the gilds[1]. In the sixteenth century the gilds were no longer serving a useful purpose. The organisation of industry on a household basis was proving cumbrous and was being superseded; where the old system was still retained, efforts to enforce restrictions drove workmen to leave the towns and establish themselves in villages where the gilds had no jurisdiction. In some cases the towns may have been suffering, not through any real decay of the trade, but because their own regulations led to a displacement of industry: while in other instances they were prevented from getting the full benefit of the revival that was beginning to be felt in different directions.

A.D. 1485 —1558.

Migration of industry

It may be worth while to call attention to the facts which indicate that the difficulties in regard to the gilds, which have been noted in the fifteenth century, were becoming more pronounced.

Abuses in craft gilds.

The craft gilds had in their origin exercised police control over their members and thus secured the safety and good order of the town; while each master really had a limited number of apprentices and servants living under his roof, this was a practicable method for maintaining good order, as each man was responsible for his own household. The conduct of the tailors in 1415 described above, shows that the journeymen were inclined to withdraw from this control; and in the beginning of the sixteenth century the apprentices appear to have been a very unruly body; they were doubtless strongly imbued with the prejudice against alien workmen[2] which found expression under Edward IV., and in 1517 they broke out in a riot which was long remembered as Evil May Day. The incident appears to have begun through the action of a broker named Lincolne, who induced Dr Bell, who was preacher at the Spital on the Tuesday in Easter week, to read from the pulpit a paper in which he had stated "the griefs which many found with

Failure to control the apprentices.

Evil May Day.

[1] See above, p. 446. 15 H. VI. c. 6.

[2] There was also a great riot against the alien merchants in 1494 when the trade of Englishmen with the Netherlands was suspended. Hall, *Chronicle*, 467.

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strangers for taking the livings away from artificers, and the intercourse from merchants"... Dr Bell then preached from the words, *Cœlum cœli Domino, terram autem dedit filiis hominum*, and "upon this text he entreated, how this land was given to Englishmen, and as birds defend their nests, so ought Englishmen to cherish and maintain themselves and to hurt and grieve aliens for respect of their commonwealth. * * By this sermon many a light person took courage and openly spoke against strangers, and as unhap would, there had been diverse evil parts of late played by strangers in and about the city of London which kindled the people's rancour more furiously against them. The 28th day of April diverse young men of the city picked quarrels to certain strangers as they passed by the streets, some they did strike and buffeted, and some they threw into the channel, wherefore the Mayor sent some of the Englishmen to prison. * * Then suddenly arose a secret rumour and no man could tell how it began, that on May Day next, the city would slay all the aliens, in so much that diverse strangers fled out of the city[1]." The rumour came to Wolsey's ears, and after consulting with him the City authorities ordained that every man should shut his doors and keep his servants within from nine at night till nine in the morning. This was proclaimed but not very generally, and Sir John Mundie on his way home found two young men in Cheap playing "at the bucklers" and a crowd of others looking on; he ordered them to desist and would have sent them "to the counter," but the prentices resisted the alderman, taking the young men from him and crying "Prentices and Clubs; then out at every door came clubs and other weapons so that the alderman was fain to fly. Then more people arose out of every quarter; forth came serving-men, watermen, courtiers and others" to the number of 900 or 1000; they rescued the prisoners who had been locked up for mishandling strangers. They plundered all the houses within S. Martin's; near Leadenhall they spoiled diverse Frenchmen who lived in the house of one Mewtas, and if they had found him, "they would have stricken off his head"; and they brake up the strangers'

[1] Stow, *Annals*, under 1517.

houses at Blanchapleton and spoiled them. When order was at length restored signal justice was done on the offenders, including Doctor Bell, who was sent to the Tower. On the whole it may be said that those members of the City Council, who did not feel satisfied with the authority of the householders and "thought it well to have a substantial watch," were sensible men. A.D. 1485—1558.

Another of the objects which had been clearly kept in view in the authorisation of craft gilds was the welfare of the public; these associations were able to ensure the production of wares of really good quality. They had so far ceased to fulfil these functions that their own ordinances were brought under the control of the justices in 1437[1]; but the evil reappeared when that statute expired, and parliament enacted in 1503[2] that "no masters, wardens and fellowships of crafts or misteries nor any of them, nor any rulers of gilds and fraternities take upon them to make any acts or ordinances, nor to execute any acts or ordinances by them here afore made, in diminution of the prerogative of the king, nor of other, nor against the common profit of the realm"; unless their ordinances were approved by the Chancellor or the Justices of Assizes. *Injurious regulations.*

The third object which the gilds had professed to serve was that of obtaining fair conditions for those who worked in the trade; instances of difficulty between the journeymen and the rising class of employers have been mentioned above[3], but in the time of Henry VIII. the mischiefs were so patent as to attract the attention of the legislature. This point is of very special interest as it helps to explain the reason of the displacement of industry which characterised the times. Restrictions had been imposed on admission both to merchant companies[4] and to other corporations by charging excessive fees on apprenticeship. "Divers wardens and fellowships have made acts and ordinances that every prentice shall pay at his first entry in their common hall to the wardens of the same fellowship some of them forty shillings, some thirty, some twenty, some thirteen and four- *Oppression of journeymen.* *Fines.* A.D. 1531.

[1] See above, p. 445. 15 H. VI. c. 6.
[2] 19 H. VII. c. 7.
[3] See above, p. 413.
[4] 12 H. VII. c. 6.

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pence, some six and eightpence, some three and fourpence, after their own sinister minds and pleasures,...and to the great hurt of the king's true subjects putting their child to be prentice[1]"; it was therefore enacted that no craft should charge more than half-a-crown as an apprentice fee and three and fourpence as a fine at the end of his term of service.

Of still greater practical significance were the grievances of the journeymen for which redress was provided in 1536. Previous acts relating to craft abuses are recited and the statute proceeds, "sithen which several acts established and made, divers masters, wardens and fellowships of crafts have by cautel and subtle means practised and compassed to defraud and delude the said good and wholesome statutes, causing diverse apprentices or young men immediately after their years be expired, or that they be made free of their occupation or fellowship, to be sworn upon the holy Evangelist at their first entry, that they nor any of them after their years or term expired shall not set up, nor open any shop, house, nor cellar, nor occupy as freeman without the assent and license of the master, wardens or fellowship of their occupations upon pain of forfeiting their freedom or other like penalty; by reason whereof the said prentices and journeymen be put to as much or more charges thereby than they beforetime were put unto for the obtaining and entering of their freedom, to the great hurt and impoverishment of the said prentices and journeymen and other their friends[2]." Such restrictions naturally resulted in the withdrawal of the journeymen to set up shops in suburbs or villages where the gild had no jurisdiction; and from this they were not precluded, in all probability, by the terms of their oath. This might often be their only chance of getting employment, as the masters were apparently inclined to overstock their shops with apprentices, rather than be at the expense of retaining a full proportion of journeymen[3].

Oaths.

A.D. 1550.

Craft gilds and public authorities

147. Such were the abuses connected with the craft gilds; it is obvious that they were working badly, and the policy which Henry VII. and Henry VIII. pursued was

[1] 22 H. VIII. c. 4. [2] 28 H. VIII. c. 5.
[3] 3 and 4 Ed. VI. c. 22.

sound; they carried on the work, which had been already begun, of nationalising the gilds. The increase of capitalism had rendered the old system of municipal regulation, exercised through householders, nugatory, and the abuses called for the intervention of parliament or the crown. Henry VII. took a decided step in transferring the supervision of the craft gilds from the municipal authorities to the Judges[1]; and they could be conveniently used for administrative purposes when they were thus brought under effective control. The gilds still appeared to be the most effective instruments for regulating each industry and keeping it in good order, and the Tudor kings continued to employ them for this purpose.

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supported in the

The Tudors continued to pursue a protective policy against alien workmen, such as had come into vogue under Edward IV., and the struggle between the London crafts and the alien workers was at last decided by the victory of the gilds[2] in 1523. The aliens were prohibited from taking more than two journeymen, and they were forbidden to take aliens as apprentices; by a still more stringent clause, every alien handicraftsman in any part of the City or within two miles of it was to be under the search and reformation of the London wardens of his craft, who were, however, to choose a stranger to act along with them in searching, viewing and reforming the aliens at their work, and in assigning their trade marks. Similar powers were to be exercised by the craft gilds, or, when no gild of the craft existed, by the borough authorities, over alien workmen all over England.

struggle with aliens

and used as executive agents;

There were complaints from the pewterers and brasiers of London and York as to the frauds perpetrated by those who carried on the trade in out-of-the-way places, or who stole the materials, did bad work and used false weights. The remedy was again found by insisting that the standard adopted by the London gild should be everywhere adopted; the craft gilds in every town and borough were to have the right of search in towns, and the Justices of the Peace to appoint searchers for the shires[3].

brasiers.

A.D. 1504.

[1] 19 Henry VII. c. 7.

[2] 14 and 15 H. VIII. c. 2. See an earlier instance with regard to alien cordwainers, 3 H. VIII. c. 10.

[3] 19 H. VII. c. 6.

A.D. 1485 —1558. *Coopers.*

Precisely similar steps were taken in 1532 with regard to the coopers, who had, perhaps with the connivance of the brewers, been making barrels of uncertain and insufficient size. The London coopers were to have search and to gauge and mark all barrels turned out in London; and in towns where no gild of coopers existed the local authorities were to insist on the same standards being used [1]. In the same way the tallow-chandlers were to search oils, and to destroy such as were mingled or corrupt [2].

Leather trades. A.D. 1485.

The leading trades of the country were dealt with in similar fashion; Henry VII. defined the respective relations of the tanners, curriers, and cordwainers [3], in the hope of securing better work if each man was only responsible for one part of the process; in 1512 the fellowship of curriers in London was given the right of search over the tanners, and also over the fellowship of alien cordwainers [4]. The evil did not abate, however, since in 1533 few of the king's subjects could either "go or ride either in shoes and boots," and by the *Act concerning true tanning and currying of leather* [5] the powers of the fellowship of curriers to search in London were confirmed, and the mayors were instructed to appoint cordwainers or others to search all tanned leather. The interest of the fellowships of saddlers and of girdlers in the matter was acknowledged, and perhaps stimulated, by giving them shares in the forfeitures under the Act.

Dyers. A.D. 1523.

A precisely similar measure was passed with regard to the dyeing of cloth [6]; the wardens of the mistery of dyers in each corporate town might search the dye-houses within a mile compass of each town, and in places where no wardens existed, the local officers were to do it instead.

Clothing trades. A.D. 1488.

The regulation of the cloth-manufacture continued to be a matter of interest; from very early times it had been conducted by royal officials, and was only committed to the gilds in special cases. The manufacture had expanded rapidly in the fifteenth century. In some parts of England a very large trade was being carried on, as we gather from

[1] 23 H. VIII. c. 4. The attention of mayors was called to this Act by proclamation. *Tudor Proclamations*, 24 Ap. 1522. [2] Stow, *Survey*, Book v. c. 12.
[3] 1 H. VII. c. 5, and 19 H. VII. c. 19; cf. also 2 H. VI. c. 7.
[4] 3 H. VIII. c. 10. [5] 24 H. VIII. c. 1. [6] 24 H. VIII. c. 2.

the history of Jack of Newbury[1]. But there was every disposition to push the business farther; the advantage which England possessed for this branch of industry may not improbably have been impressed on the mind of Henry VII. when he was a refugee at the court of Burgundy. The West Riding had been a centre of the clothing trade before his time[2], but there is much probability in the tradition that he improved the manufacture, and "secretly procured a great many foreigners who were perfectly skilled in the manufacture to come over and instruct his own people here in their beginnings[3]." As in previous reigns legislative encouragement was given to new industry; the export of wool[4] and of white ashes[5] was prohibited, so as to supply materials for making and dressing the cloth; and gilds were partially recognised as executive bodies[6], for in 1550 an Act was passed for the true making of woollen cloth[7]; the wardens of the clothworkers, wherever they existed, were empowered to act along with public authorities in seeing that the regulations were properly carried out. On the other hand in 1552,—when a great Act was passed which enumerates a variety of cloths produced in different parts of the realm, and thus gives a brief survey of the whole manufacture throughout the kingdom,—a somewhat different line was taken. The subject was examined with the advice of drapers, shearmen and others, but the execution of the Act appears to have rested with the municipal authorities pure and simple[8], and the trades in their corporate capacities are no longer recognised for this purpose.

A.D. 1485—1558.

West Riding. A.D. 1489.

A.D. 1488.

[1] John Winchcomb, who died in 1519, was a clothier whose prosperity became proverbial and was celebrated in a sixteenth century ballad. (Ashley, *Ec. Hist.* I. ii. 255.) "Within one roome being large and long, There stood two hundred Loomes full strong; Two hundred men, the truth is so, Wrought in these Loomes, all in a row." Each weaver was assisted by "a pretty boy"; on the same premises were employed a hundred women in carding, two hundred maidens in spinning, one hundred and fifty children in sorting the wool; fifty shearmen, and eighty rowers, besides forty men in the dye-house, and twenty persons in the fulling-mill.

[2] Watson, *Halifax*, p. 66. [3] Defoe, *Plan of English Commerce*, 127, 129.

[4] 4 H. VII. c. 11; 22 H. VIII. c. 2; 37 H. VIII. c. 15.

[5] 2 and 3 E. VI. c. 26.

[6] Compare the authority given to the woolmen of London with regard to the winding and folding of wool in all parts of the kingdom. *Tudor Proclamations*, May 23, 1550.

[7] 3 and 4 E. VI. c. 2. Compare the proclamation of April 17, 1549. *All such proclamations.* [8] 5 and 6 E. VI. c. 6.

A D. 1485 —1558. *Norfolk.*

Some instructive illustrations of the difficulties with which the legislature had to contend, in its efforts to regulate and encourage industry, are furnished by the worsted manufacture in Norfolk. The trade had been organised with eight wardens in 1467[1], but it had remained in a stationary or declining condition till 1495; this was attributed to the action of the statute of Henry IV. respecting apprentices, "by reason whereof the young people of the said city be grown to idleness, vices and other diverse misgovernances[2]." This Act was consequently repealed so far as the citizens of Norwich were concerned, the custom of a seven years' apprenticeship was enforced, and the shearmen of Norwich (always subject to the authority of the mayor) were to have search over the shearmen, dyers, and calenderers of worsted.

Shearmen.

The powers thus vested in the worsted shearmen interfered with the rights of the old-established shearmen who plied their craft in regard to cloth of all sorts; and we have the usual trouble about disputed jurisdiction between two crafts; this led in 1504 to a minor alteration of the Act of 1495, and in 1514 order was taken with respect to the process of calendering; dry calendering was forbidden, and those who did the work were to serve a seven years' apprenticeship and satisfy the Mayor of Norwich and two masters of the craft of their ability to do this work well[3]. Under these various

A D. 1523.

regulations the trade was much increased and multiplied in Norwich and the adjoining towns; but since it was "costly and painful" for the people of Yarmouth and Lynn, "who were daily using and practising the making of the said cloths more busily and diligently than in times past," to take the worsteds to be examined at Norwich, the worsted weavers of Yarmouth were to be permitted to choose a warden of their own[4]; as soon as there should be ten householders of the said craft of worsted weavers at Lynn, they were to have the same privilege. The whole was recited in an Act of 1534, which makes some provisions for trade marks, limits the number of apprentices to two for each worker, and exempts

[1] 7 E. IV. c. 1. See above, p. 435.
[2] 11 H. VII. c. 11; 19 H. VII. c. 17.
[3] 5 Henry VIII. c. 4.
[4] 14 and 15 H. VIII. c. 3.

Lynn and Yarmouth from the obnoxious Act of Henry IV.; it also insists that the whole process of manufacture, shearing, calendering, dyeing and all, should take place before the cloth is exported[1]. This series of statutes is instructive in many ways, but especially because it shows that the need of regulation was strongly felt. Parliamentary regulation was superseding merely municipal authority in the control of trade affairs, but the old institutions continued to be used, so far as was practicable. It was the policy of the government to reorganise and recreate misteries, or fellowships, or craft gilds in places where they did not then exist, so long as they were really kept in subjection to parliamentary or judicial authority. A.D. 1485 —1558.

Wool.

There were other matters connected with the worsted trade that demanded attention; the Norfolk trade depended on a supply of wool from the Norfolk breed of sheep, and in 1541 sufficient yarn from this wool could no longer be obtained by the local weavers, as it was bought up by little and little by regrators who exported it to Flanders, and we have a statute against the regrators of yarn[2]. A general statute against the regrators of wool was so worded[3] as to render illegal the operations of the middlemen, who supplied the Norwich spinners with 8*d.* worth or one shilling's worth at a time; and this made it impossible for the poor to get wool to spin, so that further modification was needed[4]. These may appear to be the merest trivialities, but they are worth mentioning, since they serve to show the great practical difficulties with which the legislature had to contend during the whole of the period when serious efforts were made to develope native industry by governmental interference; the aim of these measures was one thing, but they often had indirect effects which were unforeseen and which rendered subsequent modification inevitable. A.D. 1545. A.D. 1547.

148. In so far as the control of industry was thus nationalised, and effective measures were taken for securing the use of honest materials and good workmanship throughout the country, the old centres of industry would lose any

[1] 26 H. VIII. c. 16.
[2] 33 H. VIII. c. 16.
[3] 37 H. VIII. c. 15.
[4] 1 Ed. VI. c. 5.

A.D. 1485—1558. advantage they possessed by a special reputation for good manufacture. The displacement of industry from these ancient towns was also accelerated by other causes, for they had not only lost their advantage, but suffered from considerable drawbacks in attempting to compete with new districts. The pressure of the apprenticeship Act of Henry IV., the heavy assessments which they paid for the wars with France and for Henry VII.'s unnecessary exactions, and lastly the regulations made by the gilds with regard to apprentices and journeymen, were all telling against the old corporate towns; they were at a disadvantage as compared with neighbouring villages, and there was as a consequence a considerable displacement of industry from old centres to new ones, or to suburbs.

Decay of corporate towns.

Worcester. An excellent instance may be found in the complaint of the clothiers of Worcester, Evesham, Droitwich, Kidderminster and Bromsgrove with regard to a trade which had

A.D. 1534. been existing from a very early time. "Whereas the said city, burghs and towns[1] have been in time past well and substantially inhabited, occupied, maintained and upholden by reason of making of woollen cloths, called long cloths, short cloths and other cloths, as well whites, blues, and brown blues, and the poor people of the said city, burghs, towns and of the country adjoining to them daily set awork as in spinning, carding, breaking and sorting of wools, and the handycrafts there inhabiting as weavers, fullers, shearmen and dyers, have been well set awork and had sufficient living by the same, until now within few years past that diverse persons inhabiting and dwelling in the hamlets, thorps and villages adjoining to the said city, burghs and towns within the said shire, for their private wealths, singular advantage and commodities, nothing regarding the maintenance and upholding of the said city, burghs and towns, nor the poor people which had living by the same, have not only engrossed and taken into their hands diverse and sundry farms and become farmers, graziers[2] and husbandmen, but also do

[1] 25 H. VIII. c. 18.

[2] The point of this complaint, as in regard to Hemp at Bridport, had reference to the price of wool.

exercise, use and occupy the misteries of cloth making, weaving, fulling and shearing within their said houses, and do make all manner of cloths, as well broad cloths, whites and plain cloths, within their said houses in the countries abroad to the great decay, depopulation and ruin of the said city, towns and burghs." It was therefore enacted that none were to make cloths in Worcestershire but the residents in the towns, and with a view of facilitating the return of the craftsmen it was ordered that house rent should not be raised to clothiers above the current rate of the preceding twenty years. A.D. 1485—1558.

Precisely similar measures were also passed with regard to Bridport about rope-making, which was a trade of special importance for naval purposes[1], and another about coverlets in Yorkshire: none were to be made but in the city of York, and the wardens of their craft were to have the right of search all over the country[2]. There is some evidence in 1550 of the special difficulties to which London artisans were exposed "as well in bearing and paying of taxes, tallages, subsidies, scot, lot, and other charges as well to the kings majesty as to the said city and at many and sundry triumphs and other times for the kings honour," so that there was a danger of the freemen being driven away[3]. In the time of Philip and Mary the same sort of change was taking place in Somerset, and the weavers and other artisans were moving into villages where they escaped the supervision that would have been exercised over them in Bridgewater[4]. A.D. 1529. A.D. 1543. A.D. 1555.

Nor was this a merely local affair which was only to be noticed in one or two districts; it was a cause of general complaint by John Coke, the Secretary of the Merchant Adventurers, in his vapid reply to the *Debate of the Heralds*[5], and it called forth a statute in 1554 of a perfectly general character. The preamble sets forth how the cities were formerly very populously inhabited by craftsmen, and the children "were civily brought up and instructed" so that the

[1] 21 H. VIII. c. 12.
[2] 34 and 35 H. VIII. c. 10.
[3] 3 and 4 Ed. VI. c. 20.
[4] 2 and 3 P. and M. c. 12.
[5] "Also if our clothiers were commaunded to enhabyte in townes as they do in Fraunce, Flaunders, Brabant, Holande and other places, we shuld have as many good townes in England as you have in France and cloth fyner and truelyer made notwythstandynge your bragges." John Coke, *Debate*. See also Armstrong (Pauli), p. 64.

A.D. 1485—1558. kings could obtain the services of many persons well furnished for the wars, and the towns could pay fifteenths and tenths, which were far too high for them in their impoverished condition. The most pressing mischief arose from the way in which linendrapers, woollendrapers, haberdashers and grocers in the country districts, not only carried on the trade where they lived, but interfered with the retail trade in the towns as well; and it was provided that countrymen might not retail goods in market towns except at fairs [1]. From this very curious statute we may see that the migration of industry had gone so far, that the retail dealers were forced to follow the artisans in order to get a livelihood, and that the older towns were decaying, not merely as places for industry but as centres for buying and selling. There were so few substantial householders who were not concerned in the victualling business and eligible for the duty of regulating the assize of bread and ale [2], that the regulations of the statutes were relaxed in their favour in 1512 [3].

Retail dealers.

What has been proved so far is the general decay of English towns in the fourteenth or fifteenth centuries, the effects of which were patent in the sixteenth; we have also found evidence of the displacement of industry in particular centres where it was migrating from the older towns to the country districts; while there are indications of the growth of one important industry and the partial recovery of Great Yarmouth; the whole picture would become more complete if we could name any new towns which were beginning to come into prominence. But it is much harder to date the expansion of a village into a town, than to mark precisely the signs of the decline of what had once been a flourishing city into a mere village. There are, however, three of the great modern centres of industry which began to come into notice in the Tudor reigns. Manchester is casually referred to as a market town in the time of Edward IV.[4], but it is spoken of in 1542[5] as a flourishing centre of textile manufacture, both linen and woollen, especially of Manchester

New towns.

Manchester. A.D. 1477.

[1] 1 and 2 P. and M. c. 7. [2] 12 Ed. II. c. 6. 6 R. II. c. 9.

[3] 3 H. VIII. c. 8. "Many and the most part of the cities, burghs and towns corporate within this realm of England be fallen in ruin and decay."

[4] *Rot. Parl.* VI. 182 a. [5] 33 H. VIII. c. 15.

cottons and Manchester freizes[1]. Leland gives a most interesting picture of Birmingham as it was in his time, and we may picture it as a mere village, but with very active forges and ironworks[2]. In the reign of Queen Elizabeth the Lord of the Manor of Sheffield[3] permitted the formation of a company of cutlers there. In each of these cases an ancient village, which was still under manorial government, and had not risen to the rank of a corporate town, comes into notice as a centre of the active industrial life through which it has subsequently attained a world-wide fame. The assessment of 1334, which rendered the Lancastrian taxation so heavy to the older corporate towns, was in all probability but lightly felt in these rising villages; and we may surmise that craft gilds had never obtained any considerable sway. It is not improbable too that London was greatly reinvigorated at this time[4]. The new companies, such as the Muscovy Merchants, the Turkey Merchants and others, were mostly composed of London citizens, and the rapid growth of the capital gave rise to much anxiety, which found expression under Elizabeth and Charles I.

A.D. 1485–1558. A.D. 1552. *Birmingham.* *Sheffield.* *London trade.*

149. Since the corporate towns were thus decaying, it seems to follow that municipal institutions for the regulation of trade would be in a moribund condition. The craft gilds, in so far as they were merely municipal, and had not been nationalised by royal charter or parliamentary legislation, had little power for good, and they had long been complained of as detrimental to the public; they were ready to vanish away[5]. In the reign of Edward VI., their prestige suffered seriously by the confiscation of the property they held for religious purposes, while it also appears that their powers, for good or for evil, were greatly diminished.

Gilds under Edward VI.

[1] 5 and 6 Ed. VI. c. 6. The 'cottons' were a kind of woollen manufacture.

[2] Leland, IV. 114. [3] Hunter, *Hallamshire* (Gatty), p. 150.

[4] Compare Armstrong's complaint in Pauli, *Drei Denkschriften*, p. 40.

[5] Some of the York gilds, which had the right of voting in city elections, disappeared about the middle of the sixteenth century. (Miss M. Sellers, in *Eng. Hist. Review*, IX. 279.) Other crafts continued to exist and to exercise their municipal rights of election to the common council under the Charter of Henry VIII., but it seems doubtful whether they exercised much direct authority over their respective trades. It appears that they served as mere assessors in the Mayor's Court in trade disputes, and did not exercise coercive powers of their own after 1519. (Drake, *Eboracum*, 215.)

A.D. 1485 —1558.

Discriminating attack on gild property.

The generally accepted opinion[1], that the entire property of the gilds was confiscated by Somerset in 1547, can no longer be maintained without considerable modification. Professor Ashley[2] has shown that the confiscatory statute[3] was drafted in most careful terms, and discriminated clearly between the property devoted to religious and to secular purposes. All the property of gilds which simply existed for religious purposes was taken away; but the property of craft gilds was left untouched, except in so far as it was held in trust for some religious purpose; in such cases it was swept away as superstitious. But even though the statute was thus discriminating, it may be doubted whether considerable loss was not inflicted on the gilds in their secular character. Gilds which were founded for purely religious objects occasionally devoted their funds to works of secular importance, like the repairing of roads, bridges or sea walls; it is not clear that such bodies would escape under this Act, though at Wisbech[4] the inhabitants were able, by paying a heavy fine, to obtain the position of a corporate town and to retain the possessions of the Trinity Gild. The real question is as to the fairness of the commissioners in enforcing the Act; some educational foundations were spared as had been done in 1546[5], but since this was the work which the royal advisers professed to have chiefly at heart[6], they could hardly do less. On the other hand the story of the difficulties connected with the preservation of the hospital at Coventry[7] renders it doubtful whether they were scrupulous in maintaining charitable provision for old age; and it is difficult to understand the precise motive of the Grocers'[8] and other companies in attempting to conceal their lands[9] if there was no danger that the commissioners would deprive them of their property.

[1] J. Toulmin Smith, *English Gilds*, 250. Rogers, *Six Centuries*, 349.

[2] *Economic Hist.* I. ii. 145.

[3] 1 Ed. VI. c. 14.

[4] Watson, *Wisbech*, 169 f.

[5] At Ludlow, *English Gilds*, 198.

[6] No new schools in Yorkshire were founded by Edward VI., and some existing educational foundations were dissolved. Page, *Chantry Certificates*, II. xi.

[7] It appears from Dugdale's *Warwickshire*, that the lands of Ford's Hospital were claimed by the Crown under the Act, and that Bond's Hospital was refounded by a patent in 2 Ed. VI. See also R. M. Clay, *op. cit.* 225.

[8] Strype's *Stow's Survey*, II. v. 177.

[9] Clode, *Early History*, 144.

Though the character of the Act of 1547 has been misrepresented and its effect exaggerated, it is difficult to believe that it passed over the craft gilds and left them unscathed. Another measure in 1549[1] struck a more direct blow, not at their property but at their powers[2]. It was especially aimed at victuallers and cooks, and it decreed that any brotherhood or company of any craft or mistery of victuallers which combined to raise prices should be immediately dissolved; but it also prohibited any artisans or workmen from making those very regulations which it had been the chief function of the craft gilds to enforce. Workmen were not to conspire or make oaths that they shall not do their work but at a given rate, or shall not work but at certain times and hours. This enactment seems to strike a blow at the powers of all the craft gilds, in so far as any of them rested on merely municipal authority, and had not been re-enforced by the crown or by legislation. A.D. 1485–1558. *Other restrictions.*

In any case, the day of these municipal institutions was over; as was pointed out above, they were hardly consistent with capitalist production; and the leading manufacture of the country was being organised more and more on the new lines. John Winchcomb was a great employer of labour, who seems to have been under little restriction as to the number of his apprentices or the conditions of his journeymen. Stump, who fitted up monastic buildings at Malmesbury as a sort of factory[3], was a man of a similar type; that cloth-making had assumed a capitalistic type is no longer a mere inference, and the evidence is confirmed by the terms of the Act of 1555, which shows that this trade had got into the hands of employers with large capitals. "For as much as the weavers of this realm have as well at this present parliament as at diverse other times, complained that the *Factories.*

[1] 2 and 3 Ed. VI. c. 15. The third section of this Act relating to the building trades was repealed in the following year, 3 and 4 Ed. VI. c. 20, but the sections summarised in the text were made perpetual by 22 and 23 Charles II. c. 19, and only repealed in 1825.

[2] In Scotland where these measures did not operate the remains of the gild system are far more obvious than in English towns; as in S. Mary Magdalene's Chapel in the Cowgate in Edinburgh or the Trinity Hall in Aberdeen.

[3] Leland, *Itin.* ii. 53. On the Tames of Cirencester and Fairford compare Mrs Green, *Town Life*, II. 68, and Leland, *Itin.* v. 65.

A.D. 1485 —1558.

rich and wealthy clothiers do many ways oppress them, some by setting up and keeping in their houses diverse looms, and keeping and maintaining them by journeymen and persons unskilful, to the decay of a great number of artificers which were brought up in the said science of weaving, their families, and households, some by engrossing of looms into their hands and possession and letting them out at such unreasonable rents as the poor artificers are not able to maintain themselves, much less their wives, family and children, some also by giving much less wages and hire for the weaving and workmanship of cloth than in times past they did[1]." Economic conditions would cooperate with the decay of the towns and the action of Parliament, to hamper the old craft gilds, but there is no reason to believe they were actively stamped out or entirely suppressed. Even if their prestige was lowered and their authority sapped they might still linger on; before the close of Elizabeth's reign there was a reaction in public opinion in favour of some institution of the kind, and they were reconstituted, or companies which corresponded to them were created anew. But these Elizabethan institutions differed from those they had replaced in two particulars—they were national not merely municipal institutions, for they drew their powers from Parliament or the Crown; they were also, in their composition, capitalistic associations, and thus they were in close accord with the changed conditions of the times.

Journeymen and Apprentices.

A.D. 1550.

The increasing importance of capital in industry may also be indirectly gathered from measures which were passed in the reigns of Edward VI. and his sister. Steps were taken to prevent employers from hiring their journeymen by the week or for other short periods; and they were also prohibited from overstocking with apprentices, as each man was to have one journeyman to every three apprentices[2]. Those who are familiar with the discussion which has arisen in our own time about uncertainty of employment and 'hourly hirings[3],' or with the eighteenth century outcry about 'overstocking with pauper apprentices[4],' will have no difficulty in recognising in such phenomena the symptoms of capitalistic industry.

[1] 2 and 3 P. and M. c. 11. [2] 3 and 4 E. VI. c. 22.
[3] *Industrial Remuneration Conference Report*, pp. 92, 106. [4] Brentano, CLXXII.

There is another striking instance of the important part which industrial capital was beginning to assume in connection with textile manufactures. Russets, satins and fustians of Naples had been imported into the kingdom in large quantities and the Norwich worsted trade was said to be suffering in consequence. It occurred to certain substantial men of that city, however[1], that it might be possible to introduce the foreign art into this country; and the Mayor with six Aldermen and six other merchants of Norwich had, "at their great costs and charges, as well in bringing of certain strangers from the parts beyond the sea into the said city, as also in making looms and all other provision for the same," introduced the art, and set twenty-one weavers to learn it, so that the russets and fustians of Norwich were better and cheaper than those of Naples. They accordingly obtained an Act of Parliament by which they were incorporated, and had power given them to regulate the manufacture and to choose wardens who should search for defective goods. This is, so far as I know, the first venture of capitalists to import the necessary plant and the necessary skill so as to introduce a new trade; the craft gilds had originated as associations of those who were actual workers, but it is evident that this was a corporation consisting not of artisans but of capitalists. Just as the merchants of Bristol were empowered to make discoveries and trade to the west, and the London merchants to send their expeditions to the north and east, so were these Norwich merchants associated, but for an industrial and not a trading enterprise. We might push the analogy farther and notice that in both cases they were enabled to form a regulated and not a joint-stock company. The efforts which were made to develop mining in England[2] with the help of Germans and others in the sixteenth century must certainly have proceeded on capitalist lines. The increased attention which was now given to industrial improvement was at least congruent with the new importance which capital was assuming in industry.

A.D. 1485–1558. *Planting new trades.*

A.D. 1555.

[1] 1 and 2 P. and M. c. 14.

[2] Cunningham, *Alien Immigrants*, 122.

V. The Land Question.

A.D. 1485–1558.

150. The Tudor reigns were a period of great discontent and some disorder in rural districts; the tendencies which had begun to operate after the Black Death were causing results which were viewed with great anxiety; the depopulation of some parts of the realm—with the dearness of provisions which was supposed to be associated with it[1]—seemed to be a great political danger. The remarks of such writers as Sir Thomas More[2], the Chancellor of the Realm, and Thomas Starkey, a Royal Chaplain[3], are conclusive as to the wide range over which the change was progressing, as well as the preamble of the Act of 1534[4].

Improved estate management

It is necessary, however, to look at the matter a little more closely, in order to appreciate the reasons which rendered the new methods of land management profitable, and to note the precise nature of the injuries which were being inflicted on some classes of the rural population.

with enclosure for sheep

There were doubtless many landlords who used their land as sheep runs[5], and this was the form of the new land management which struck the popular imagination. But this was only one of the ways in which the new order was proving incompatible with the old; whatever was inconsistent with the traditional customary husbandry was injurious to a peasantry who preferred to carry on their work by the methods to which they were habituated. Improved land management of any kind implied the withdrawal of some open fields or some portion of the waste from use in common: it was the destruction of the "territorial shell" of the traditional agricultural organisation, and was spoken of as *enclosing*. Neither a landlord nor a tenant could use his land exclusively, in the way in which he could turn it to

for exclusive use in husbandry,

[1] On this point the judgment of contemporaries seems to have been mistaken. There appears to have been no disproportionate rise in the price of corn and other victuals. It was a time when all prices were rising. Strype, *Ecc. Mem.* II. i. 146 and II. ii. 359.

[2] *Utopia*, p. 41.

[3] *Dialogue between Cardinal Pole and Thomas Lupset* (E. E. T. S.), p. 72; Introduction, Sec. 2, refs.

[4] 25 H. VIII. c. 13.

[5] See p. 448 above.

most advantage, without depriving his neighbours of some of the rights they had previously exercised. If a portion of the common waste were enclosed, the area on which the tenants could pasture their cattle was diminished, and they might find it impossible to keep their stock in proper condition. A similar injury, though on a smaller scale, was done by the enclosure of adjacent strips in the arable fields, as the commoners could no longer let their cattle range over the whole of the stubble in what had once been common fields. The nature of the evil becomes most clear when we refer to a present day illustration afforded by recent troubles in the north-west of Scotland. The position of the Skye crofter is, economically at all events, closely analogous to that of the husbands in the Tudor times; a struggle has arisen between the small farmer working his holding on traditional lines and the leaseholder or tacksman with a farm[1], which he worked on the most remunerative system. The precise grievances alleged are very similar, as in many instances sheep farming was very profitable. Sometimes we hear more of eviction and the pulling down of houses, sometimes of deprivation of pasture and the consequent inability of the crofters to farm at a profit[2]. The parallel becomes even more close when we remember that much of the depopulating in Tudor times was made not so much for profit, and the keeping of sheep, as for the amenity of enjoying a park, and for sport. "If they will needs have some deer for their vain pleasure, then let them take such heathy, woody and moory grounds as is unfruitful for corn and pasture so that the common wealth be not robbed; and let them make good defence that their poor neighbours joining with them be not devoured of their corn and grass[3]." The fashion of imparking seems to have been less prevalent in Elizabeth's time, and some of those who realised that it was a useless extravagance began to dispark their land[4].

A D. 1485 —1558.

or for deer.

[1] *Syke Crofters' Commission Report*, App. A, pp. 5, 36.

[2] *Report*, p. 31.

[3] H. Brinklow, *Complaynt of Roderyck Mors* (E. E. T. S.), p. 17. Whittaker's *Whalley*, II. 188.

[4] Harrison, c. 19 in *Holinshed*, 346. Norden, *Surveyor's Dialogue*, 118.

A.D. 1435—1558. *Depopulation by landlords*

There can be no doubt that in some cases there was deliberate depopulating[1] on the part of landlords who desired to get the whole of the area into their own hands and to use it in the way that gave them most profit or pleasure. The practice of granting land on leases of lives had become common[2], so that on an estate where the new system of land management was adopted, the tenantry could be gradually dispossessed without any straining of legal rights on the part of the landlords; though the greatly increased fines which were sometimes demanded[3] were felt to be a hardship. In very many instances, however, it would appear that the landlords were not the prime movers in the matter, but they were only to be blamed for giving permission to enterprising tenants to enclose[4]. There is ample evidence that the process of differentiation was going on among the English peasantry and yeomen, and that while some felt the pressure of the new conditions severely, others were prospering greatly[5]. Farmers were doing so well that many of them were able to buy the lands of unthrifty gentlemen[6]. These men were not for the most part sheep farmers, but men who combined arable farming with cattle breeding, and carried on what was known as convertible husbandry[7]. To do this, however, it was necessary to withdraw the land from the customary system of tillage, and to be free to fence it, and use it as separate closes. This could hardly be managed so long as a man had a holding which consisted of many scattered strips[8]: what the tenant wished to do, was to get hold, by exchange

and by prosperous tenants

[1] See p. 448 above. Hall, *Formula Book*, II. 181.

[2] Bacon, *Henry VII.* in *Works*, VI. 91. See also A. H. Johnson, *op. cit.* 61.

[3] *A supplication of Poor Commons* (E. E. T. S.), 79. Scrutton, *Commons*, 82.

[4] Norden, *Surveyor's Dialogue*, 98, 101.

[5] Davenport, *op. cit.* 85. Hasbach, *English Agricultural Labourer*, 38.

[6] See p. 401, n. 4, above. Harrison in *Holinshed*, I. 275.

[7] Cattle breeding had been an important element in monastic economy (Savine, *English Monasteries*, 194) as a supply of dairy produce was needed in large establishments. Dairy farming, as well as corn growing, involved the employment of labour, and sheep farming, with depopulation, was unfavourable to both. The publication of L. Mascall's *Government of Cattel* (1600) and *Husbandlye Ordering and Governing of Powltrie* (1581) was significant of the increased attention given to these branches of rural industry in the latter part of Elizabeth's reign.

[8] The *Doctor* in the *Discourse of the Common Weal* argues that if the system of holdings, each consisting of scattered strips, were maintained, enclosing would not occur, p. 56.

or purchase of contiguous strips which he could fence, and which would form a convenient close. The enterprising tenant who wished to work his land on the best system was anxious to join several holdings and to work them as one farm, and this practice of letting two or three tenantries unto one man was particularly singled out for reprobation in 1514 and subsequent years[1]. Under these circumstances there would be a keen competition for farms, and those who were carrying on their business on the best methods would be able to outbid the men who adhered to the customary system. The man whose holding was in severalty was well able to thrive, both as regards ploughing with oxen[2], folding his sheep on fallow[3], breeding and rearing lambs[4], rearing calves[5], and using his pasture to advantage[6]; while he could also count upon having better crops than grew on the common fields. Trouble almost necessarily ensued from the inevitable competition between the men who farmed in severalty and those who kept to the traditional practice. Men who practised convertible husbandry were able to afford to pay rents[7] which were ruinous to those who carried on the traditional customary tillage. The rise of rents would occur in connection with improved agriculture, and not merely because the value of the land for sheep-pasture had increased.

A.D. 1485 —1558. *who united holdings*

The operations of a tenant who obtained leave from the lord to farm in severalty were plainly injurious to the rest of the villagers; and it is interesting to note that the most dangerous of all the outbreaks against enclosing appears to have originated in grievances of this type. There is no reason to suppose that there had been any great development of sheep farming in Norfolk[8], and the complaints of Kett and

and farmed in severalty

[1] Compare the *Petition to Henry VIII.*, 1514, quoted in *Ballads from MS.*, by Furnivall, p. 101. Tyndale, *Doctrinal Treatises* (Parker Soc.), 201. W. Roy, *Rede me and be nott wrothe* (Arber's Reprint), p. 100. *Ballads from MS.*, p. 17. *Hutchinson's Works* (Parker Soc.), 301; T. Lever, *A Sermon made in the Shroudes at Poules* (Arber's Reprint); Crowley's *Epigrams of Rent Raisers* (E. E. T. S.). On the connection between engrossing and enclosing, compare H. L. Gray, *Yeoman farming in Oxfordshire* in *Quarterly Journal of Economics*, XXIV. 322.

[2] Fitzherbert, *Husbandry*, p. 7. [3] Ibid. p. 20.

[4] Ibid. pp. 34, 36. [5] Ibid. p. 51. [6] Ibid. p. 71.

[7] T. Lever, *Sermon*. See Vol. II. 106, n. 1; Harrison in *Holinshed*, I. 318.

[8] Davenport, *op. cit.* 81.

A.D. 1485 —1558.

his followers were almost entirely confined to allegations of encroachment on common rights[1], and to abuses in connection with dove-cotes and rights to fishing and to game[2]. There is no mention of the pulling down houses in order to convert land to pasture, and the excitement might all have arisen in connection with piece-meal enclosure by tenants for convertible husbandry. Fitzherbert, and the other advocates of agricultural improvement appear to have thought that it would be possible for all the tenants in a town to adopt convertible husbandry, so that all should gain by enclosing their holdings into severalty[3]. But the improved husbandry was a labour-saving system; a large area could be profitably worked by the tenant himself, without help; and each man was anxious to get as large a holding as he could manage to advantage. The march of agricultural improvement involved a certain amount of depopulation; as Harrison observed "The ground of a parish is gotten into a few men's hands yea sometimes into the tenure of one, two, or three, whereby the rest are compelled either to be hired servants unto the others or to beg their bread in misery from door to door[4]." This change was not so ruthless as the depopulation caused by the introduction of sheep farming, but it was practically incompatible with the maintenance of open fields and of the customary tillage. The enclosure of a few acres might be felt as a serious grievance even in cases where the greater part of the parish continued to lie in open fields.

so as to save labour.

Owing to the national dangers

151. The outcry and social disorder which arose in connection with the introduction of the new system of land-management necessitated government interference on several occasions; the action of the government was directed towards political and social objects, and there was an evident desire not to obstruct the course of agricultural improvement.

[1] Russell, *Kett*, 48. Compare also in Cambridge; Cooper, *Annals*, II. 38.

[2] Compare the complaints in 1381. See p. 403 above.

[3] Fitzherbert, *Surveyinge*, p. 96. Norden, *Surveyor's Dialogue*, 99. Compare also the agreement quoted by Mr Corbett, *Elizabethan Village Survey*, in *Royal Hist. Soc. Trans.*, N.S. XI. 84. *Discourse of Common Weal*, 49; Tusser, *Five Hundred Points of Husbandry*, chaps. XVIII. and LIII.

[4] *Holinshed*, I. 325.

There were three points of view from which sheep farming with depopulation was to be deprecated: it diminished the effective fighting force of the realm; it encouraged absenteeism, and it interfered with the raising of the largest available supply of food. The political danger of having an insufficient number of inhabitants to repel an attack, was the point which first attracted the attention of Parliament[1]; the Isle of Wight was taken up with a few large sheep-runs, the towns and villages had been let down, the fields dyked and made pasture, and there was no effective force to defend the coast against the French; hence it was decreed that no one was to have more than one farm, or a farm the rent of which exceeded ten marks. The lords did not exert themselves to put pressure on their tenants as they might have done under Henry VIII.'s first Acts on the subject[2]; but in 1517 the matter was taken up energetically by Wolsey[3], and royal commissioners were appointed to visit every county and to make enquiries on the spot as to the area that had been enclosed since 1488, as well as the number of ploughs laid down, of houses decayed, and other evidences of depopulation. The result of these enquiries survives for several counties; it was known in an imperfect form to some previous enquirers[4]: but it has been examined with great care, analysed in detail and published by Mr I. S. Leadam[5]. The minute information it furnishes as to the nature of the changes wrought during thirty years is of the greatest interest; but it does not appear that the enquiry led to successful measures for checking the evils of depopulation. In 1536 Parliament enacted that the king should have the moiety of all lands decayed since the previous statute was passed, till the owners should repair or re-erect houses of husbandry again[6]; while another statute prohibited any

A.D. 1485 —1558.

Statutes were passed to repress sheep farming

[1] 4 H. VII. c. 16.

[2] 6 H. VIII. c. 5 and 7 H. VIII. c. 1.

[3] E. F. Gay, *Inquisitions of Depopulations* in *Royal Hist. Soc. Trans.*, N.S. XIV. 236.

[4] Schanz, II. 671.

[5] *Transactions of the Royal Historical Society*, VI. 167, VII. 127, VIII. 251.

[6] 27 H. VIII. c. 22.

A.D. 1485—1558.

single grazier from having a flock of more than 2000 sheep[1]. The political danger which arose from the progress of sheep farming was also put prominently forward as the ground for the Commissions of enquiry issued in 1547[2].

and absenteeism,

We should have been inclined to suppose that Parliament would have been as decidedly opposed to depopulating for the sake of forming a park; but an exception was made in favour of these enclosures. The reason may probably have been that the sheep farming proprietor was likely to be an absentee, while the man who indulged in the extravagance of a park was likely to make his country house his home. Whatever the faults of monastic management may have been[3], the religious houses were resident landlords and tradition ascribed to them a readiness to perform duties which new men were not unlikely to ignore. A very large area of landed property changed hands about this time[4], and the evils of enclosure were brought into fresh

[1] 25 H. VIII. c. 13.

[2] The King's Proclamation is very explicit. The force and puissance of this our realm, which was wont to be greatly feared of all foreign powers is very much decayed; our people wonderfully abated, and those that remain grievously oppressed. Strype, *Ecc. Mem.* II. ii. 349 also II. i. 145. Compare also the address of Hales to his fellow-commissioners. "For lack of people to defend us against our enemies we shall be a prey for them." Strype, *Ecc. Mem.* II. ii. 352.

[3] See above, p. 450. A tradition survived in some quarters as to the kindly relations of monasteries with their tenants. "If any poor householder lacked seed to sow his land, or bread, corn or malt before harvest, and came to a monastery either of men or women he should not have gone away without help; for he should have had it until harvest, that he might easily have paid it again. Yea if he had made his moan for an ox, horse or cow, he might have had it upon his credit, and such was the good conscience of the borrowers in those days that the thing borrowed needed not to have been asked at the day of payment.

"They never raised any rent, or took any incomes or garsomes (fines) of their tenants, nor ever broke in or improved any commons although the most part and the greatest waste grounds belonged to their possessions. If any poor people had made their moan at their day of marriage to any Abbey they should have had money given to their great help.** Happy was that person that was tenant to an abbey, for it was a rare thing to hear that any tenant was removed by taking his farm over his head, nor was he afraid of any re-entry for non-payment of rent, if necessity drove him thereto." Cole MSS. (British Museum), XII. fol. 5, *The Fall of Religious Houses.*

[4] The difficulty of making any estimate in figures, either as to the area of the monastic lands or the amount of their income is discussed by Savine (*English Monasteries*, pp. 76 f.), but the sense of insecurity which the dissolution caused must have been widespread, and tenants would be anxious to obtain leases from the new owners even at increased rents (Ibid. 54).

prominence by the action of those who had obtained possession of confiscated lands[1]. The Act of 1536 had endeavoured to guard against absenteeism and contained a clause that the new owners should be bound to keep a good and continual house and household on the same site, and to keep up the same amount of tillage as formerly. A.D. 1485—1558.

but improved husbandry was not checked.

On the other hand the form of enclosure which was being pushed on by enterprising tenants, who desired to have holdings in severalty, was a real improvement in agriculture, and provided an increased food supply; and no government could have seriously set about trying to stop it. Bacon explains the discriminating policy which was adopted under Henry VII.[2]. The government were content to try and guide the change, and to prevent the small men from being crowded out, in the hope that the practice of farming in severalty might be adopted generally without injury to any one. As, however, convertible husbandry was a labour-saving system, its introduction tended to a decrease of the population maintained upon the soil and social difficulties necessarily ensued[3].

Farming for the market superseded the old system of catering for household needs

152. The failure of the Commissions of 1549 shewed that the new system of land management had come to stay: the manorial economy under which land was cultivated by a great household consisting of the lord and his dependants was broken up; the skilful agriculturist did not aim, as Walter of Henley had done, at providing sustenance for a great household, but at meeting the requirements of the market. Both in rural and in industrial areas the household was ceasing to be the unit of organisation[4], and market considerations were becoming paramount: in towns the change is marked by the decay of gilds; in rural districts by the extinction of villainage.

[1] John Hales in Miss Lamond's Introduction to the *Discourse of the Common Weal*, XI. LIX.; *Supplication of Poor Commons*, 80.

[2] Bacon, *Henry VII.* in *Works*, VI. 93.

[3] Vol. II. pp. 101, 552.

[4] There is a parallel but also a contrast. In towns there had been an association of small householders and it gave place to a system of large employers; in rural districts there had been large households and they gave place to small capitalist farms.

A.D. 1485—1558. *and serfdom passed away,*

Manorial economy had come to an end, for the traces of serfdom which crop up at intervals before this time may now be said to cease. There is incidental evidence of the very general continuance of serfdom long after the time of the Peasants' Revolt. The efforts of the villains to shake off their disabilities by inducing the lords to answer their pleadings in the king's courts, would hardly have demanded special legislation in 1385 if they had practically succeeded in attaining their ends[1]. Servitude of a practical character survived the revolt; Henry VI. legislated about his villains, or bondsmen, in Wales[2]; the manumission of a serf and his three sons on the estates of Bath Abbey is recorded in 1531[3]. Much evidence of the general retention of serfdom has been adduced[4] in corroboration of the complaint of Fitzherbert, who, in the third decade of the sixteenth century, lamented over the continuance of villainage as a disgrace to the country[5]. In 1536 the House of Lords read and rejected a bill for the manumission of serfs called bondmen[6], but Elizabeth issued a commission for enquiring into the cases of bondmen on royal estates and for granting manumissions[7]. In some localities the exaction of predial services from villains by manorial lords can be traced as late as the time of Elizabeth[8], but though no change was made in the law, the lords seemed to have found that it was not worth their while to assert their rights over the persons of their bondmen[9]. Cash relationships entirely superseded personal obligations in the ordinary conduct of the operations

[1] 9 R. II. c. 2. [2] 25 Henry VI.

[3] Granted by Bishop John Clarke. Harl. MSS. 3970, f. 37.

[4] Savine, *Bondmen under the Tudors* in *Royal Hist. Soc. Trans.*, N.S. XVII. 175; Leadam, *Select Cases in the Court of Requests*, 42, 46, and *Select Cases in the Star Chamber*, CXXIV.

[5] Fitzherbert, *Surveyinge*, chapter XIII. Compare also *Institutions*, f. 44, quoted by Professor Jenks, *Economic Journal*, III. 683. Leadam, *Last Days of Bondage in England* in *Law Quarterly Review*, IX. 356. See further Kett's Demand, "We pray that all bondmen be made free, for God made all free with his precious blood-shedding." Russell, *Kett's Rebellion*, p. 51. Norden, *Surveyor's Dialogue*, 78.

[6] *Journals of House of Lords*, 15 July, 1436.

[7] Rhymer, *Fœdera*, XV. 731. [8] Hasbach, *op. cit.* 30.

[9] 32 H. VIII. c. 2. See Howell's *State Trials*, XX. 40, in the report of the case of Somerset, a negro slave, in 1771. Noy, *Reports*, 27.

of rural life; but survivals of the old system in the habits of collective husbandry remained in many districts[1], and continued to affect the rate of agricultural progress. The open field system, with customary tillage, held its own in many parts of the country till the beginning of the nineteenth century; and it would be interesting if we could detect the local causes, economic and others, which brought about the introduction of new methods of land management in some areas, while the old and less profitable system was maintained in other districts[2]. A.D. 1485—1558. *but many traces of collective husbandry survived.*

153. No important change was made during this period in the statutes of labourers. The Act of 1495[3] closely follows on the lines of that which had been passed fifty years before[4]; it could not be enforced and was repealed[5] but its provisions were revived in 1514. These Acts limit the payments for holiday times, and permit reductions for laziness in the morning or at noonday or for sitting long over meals; they fix maximum rates of wages and permit the payment of lower rates, where lower rates are usual. They are thus obviously intended to keep wages down, but it is interesting to notice that the statutable rates are higher than they had been; the bailiff might get 26*s.* 8*d.* as against 24*s.* 4*d.*; the common servant in husbandry 16*s.* 8*d.* and 4*s.* for clothes as against 15*s.* and 3*s.* 4*d.* for clothes; artisan wages (without meat and drink) go up from 4*d.* and 5*d.* per day to 5*d.* and 6*d.* per day in summer and winter respectively. The prescribed hours of labour[6] are long. From the middle of March to the middle of September artificers were to work from 5 a.m. till between 7 and 8 p.m., half an hour for breakfast and an hour and a half for dinner and for the midday sleep, which was allowed from May to August. In winter they were to work during daylight[7]. This Act could not be enforced in *Labourers' wages* *and hours of labour.*

[1] On collective organisation for the management of milch kyne see my address in the *Royal Hist. Soc. Trans.* 1910, 3rd Ser. Vol. IV.

[2] Hasbach gives many interesting cases where local conditions affected the character of enclosing, *op. cit.* 369.

[3] 11 H. VII. c. 22. [4] 23 H. VI. c. 12. [5] 12 H. VII. c. 3.

[6] The grounds on which Professor Rogers infers from various incidental indications that the working day only lasted eight hours are very slight.

[7] 6 H. VIII. c. 3. A convenient summary of the laws regulating labour will be found in *The Ordynal*, ?1542. [Brit. Mus. 1379 a, 3 (3).]

A D. 1485 —1558.

London, where higher wages had been given and where the artisans were "at great charge for rent and victual"; so that London was specially exempted from these regulations in the following year[1]. The statute book also furnishes some additional evidence of a continued rise of the prices of food, and consequent demands of labourers; victuallers were prohibited from combining to ask unreasonable prices, and the artisans from combining for various purposes. Some of them agreed not to work but for a rate which they themselves fixed, they would not carry on the work which others had begun, they limited the work they would do, and the hours they would work each day, and generally conspired and took oaths to back one another up in securing their own terms; this conduct called forth a severe law against such combinations[2] in 1549.

Rise of prices.

154. Such were the conditions on which employment was obtained; it remains for us to glance at the arrangements made for the unemployed. The problem was not new but it was pressing, and it was felt in all parts of Europe[3]; the best methods of dealing with poverty were being debated, and the municipal authorities, in English and Continental towns, made strenuous efforts for the better organisation of relief[4]. Reform in the method of bestowing alms to the poor was one point on which Roman theologians[5] were at one with Lutherans[6] and Zwinglians[7]. The English legislation of the day distinctly reflects the new view of duty which was thus gaining ground; it was an endeavour to adapt the experience that had been obtained and the principles laid down in other countries to English use.

The unemployed.

There was of course the double problem of dealing with the vagrant and with the impotent poor respectively. The difficulty in regard to the latter class was greater than ever. The progress of enclosing, accompanied as it was by evic-

[1] 7 H. VIII. c. 5. [2] 2 and 3 E. VI. c. 15.

[3] In 1525 the town of Ypres led the way in an attempt to put down mendicancy and to provide employment for the poor, and the Sorbonne expressed approval of the project. On the whole subject compare the excellent Essay in Prof. Ashley's *Economic History*, I. ii. 340.

[4] E. M. Leonard, *Early History of English Poor Relief*, 23.

[5] The work of L. Vives, *De Subventione pauperum* (1526), was written in London (Ashley, *op. cit.* 343). [6] Ibid. 342. [7] Ibid. 313.

tion, must have reduced large numbers of the population to the condition of homeless wanderers, while the disbanded retainers were even more dangerous tramps. The literature of the time is full of complaints of this evil, and in Starkey's dialogue one of the speakers contends that idleness is the root of the mischief. But the Act of Richard II. was so severe that it could not be enforced[1]; all the vagrants could not be committed to gaol, as there was no accommodation for imprisoning the crowds of valiant and sturdy beggars. Accordingly the first measure of Henry VII.[2] reduces the penalty for vagabonds to three nights in the stocks, a punishment which was afterwards limited[3] to a day and a night.

A.D. 1485–1558. *Tramps.* A.D. 1383. A.D. 1495.

The difficulty about impotent beggars was met by enjoining everyone who was not able to work to "go rest and abide in his hundred where he last dwelt, or where he is best known or born, there to abide without begging out of the said hundred." Those who professed to be scholars of the Universities were to be punished like other vagabonds unless they could show letters from the Chancellor; and soldiers and sailors were to be provided with letters from the captain of the ship in which they landed[4]. Subsequent legislation followed on these lines but became more and more definite. In 1531 licenses[5] were required from all impotent persons; these were to be granted by justices of the peace and to define the limits within which the holder was licensed to ask for alms. The able-bodied vagrants were now submitted to more vigorous treatment; they were to be tied to the end of a cart and whipped through the place where they were found begging, and then to be dispatched by the straight way to the place where they were born or last dwelt, there to labour "like as a true man oweth to do."

The impotent poor. *Licenses to beg.*

So far legislation had proceeded on the old lines; it is in the Act of 1536 that the traces of the new opinions may be seen; and, as Professor Ashley points out[6], this measure is the real basis of the English Poor Law System as it was further developed under Elizabeth. An attempt was now

Funds for the poor. A.D. 1536.

[1] 7 R. II. c. 5.
[2] 11 H. VII. c. 2.
[3] 19 H. VII. c. 12.
[4] 11 H. VII. c. 2.
[5] 22 H. VIII. 12.
[6] Ashley, *Ec. Hist.* I. ii. 359.

A.D. 1485 —1558.

made to raise funds in each parish which might be used for the employment of the able-bodied and for the relief of the impotent. The lack of some such provision had been the chief defect in previous measures; it had been found that the existing Acts could not be enforced because there was no money for the relief of the impotent poor, nor for the employment of the able-bodied, when they did return to the places where they ought to be maintained; there were besides no sufficient instructions as to the way in which tramps should repair to their proper districts. A beggar who was tramping homewards at the rate of ten miles a day was to be relieved "upon the sight of his letters given him at the time of his whipping," and the officers of all towns and villages were to keep the poor by way of voluntary and charitable alms; while they were to set the able-bodied to work so that they might maintain themselves. The churchwardens were to gather the alms with boxes on Sundays, festivals and holy days, so that the poor, impotent, lame, sick, feeble and diseased might be sufficiently provided for and not have to go about and beg[1].

Relief of impotent.

Discouraging ill-considered charity.

The most striking feature of this Act, however, is to be found in the clauses which prohibit begging and those that are directed against indiscriminate charity. It was here that the influence of the new opinions on Christian duty is most obvious. If adequate provision were made for the impotent by the authoritative administration of charitable alms, begging was inexcusable, and private munificence only came to be a temptation to the idle. Hence the first clause imposes a penalty on any parish which does not make suitable arrangements for organising the charity of the parishioners; and anyone who gave common doles or alms, except through the agency thus created, was liable to a fine of ten times the sum so expended. It is obvious that this provision could not be strictly enforced, as the *bona fide* traveller was permitted to give alms, and the monasteries were allowed to continue their usual doles.

It is important to notice that these enactments were found necessary before the effects of the dissolution of the

[1] 27 H. VIII. c. 25, which was composed by Henry himself (Froude, I. 80). Dorset in *Suppression of Monasteries*, 36.

monasteries could be felt; the religious houses obviously had not sufficed to relieve all the pauperism in the country, for the complaints to which allusion has been made above all date from the time when they were still in full possession of their wealth. But there can be little doubt that their suppression was followed by a frightful increase of the evil; we cannot of course obtain anything of the nature of statistics[1], though the desperate measures of Edward VI. are monuments of the greatness of the evil with which they attempted to deal. His attention was called to the subject by a sermon which Bishop Ridley preached at Westminster, and the municipal authorities were encouraged to utilise the resources of the London Hospitals so as to provide for the different classes of the poor[2]. The Grey Friars' house was intended, as Christ's Hospital, to be a home for beggar children. S. Thomas's and S. Bartholomew's were assigned to the sick, while Bridewell was to be used for the reception of the thriftless poor; this scheme was worked out by Bishop Ridley in conjunction with the Lord Mayor. Three hospitals "were also set aside as places where the poor could be set on work[3]" in the city of York, where much consideration had been given to the best means of dealing with the poor.

A.D. 1485—1558. *The dissolution of the monasteries.*

London Hospitals.

The effects of the destruction of the religious gilds in 1547 appear to have been exaggerated[4]; but even if the labouring

Gilds as Friendly Societies.

[1] "Concerning the poor people, notwithstanding all the laws made against their begging and for the provision of them within their several parishes and towns where they dwell: for there be for one beggar in the first year of King Henry VIII. at this day in the thirty-third year of her Majesty an hundred. As may partly be gathered by the multitude of the beggars that came to the funeral of George late Earl of Shrewsbury celebrated at Sheffield in Yorkshire the 13th day of January in the thirty-third year. For there were by the report of such as served the dole unto them, the number of eight thousand, and they thought that there were almost as many more that could not be served through their unruliness. Yea the press was so great that diverse were slain and many hurt: and further it is reported of credible persons that well estimated the number of all the said beggars that they thought there was about twenty thousand. Now judge ye what a number of poor people is to be thought to be within the whole realm, seeing so many appeareth to be in one small part of a county or shire, for it is thought by great conjecture that all the said poor people were abiding and dwelling within thirty miles of the town of Sheffield aforesaid and yet were there many more that came not to the dole." *The Fall of Religious Houses*, Cole MSS. XII. fol. 25.

[2] E. M. Leonard, *Early History of Poor Relief*, 31. Clay, *op. cit.* 236.

[3] M. Sellers, *City of York in XVI. Century*, *Eng. Hist. Review*, IX. 287.

[4] See p. 522 above.

A.D. 1485 —1558.

classes did not suffer much from the actual loss of property, they were poorer by the destruction of these institutions. The landed property of these gilds was for the most part devoted to the maintenance of masses for departed brethren; but from the chests, as they were annually replenished with fees and payments, assistance had been given to brethren which enabled them to tide over hard times. The loss of the peasantry cannot be measured by guessing at the probable amount of cash in these chests, for the wrong that was done them consisted in the removal of the friendly aid which would have enabled them to pass through times of difficulty without being ruined. The real mischief lay in the break up of institutions which had saved men from falling into poverty, far more than in the actual loss of accumulated funds. Full information in regard to the possessions and rentals of the gilds at the time of the confiscation is available for the county of Somerset[1]; and while it is clear that there had been considerable sums set aside for the support of priests and the maintenance of lights, as well as wealth in the forms of vestments and plate, it is not obvious that there were accumulated funds or much land of which the income had been assigned to benefit purposes; it is doubtful how far the discriminating provisions of the Act were carried out, but it is possible that the benefit funds were sometimes preserved for their original purposes. The destruction of the organisation was a serious matter, but the loss of the possessions was comparatively unimportant, so far as their friendly society functions were concerned.

Loiterers. A.D. 1547.

The first year of Edward's reign was remarkable for an extraordinary statute about loiterers; they were to be reduced to a temporary, and if incorrigible, to perpetual slavery, to be kept in irons, and branded with a V. for vagrant or an S. for slave according as their slavery was terminable or life-long. It was also enacted that beggar children might be taken from their parents against their will and apprenticed to serve till they reached the age of four and twenty[2]; but such severe remedies were of course ineffectual; they were set aside and

[1] E. Green, *Survey and Rental* (1888), Somerset Record Society.

[2] 1 Ed. VI. c. 3.

the Act of 1536 was revived with some trifling modifications in 1550[1]. A.D. 1185—1558.

The arrangements for providing employment and for the relief of the impotent were overhauled in 1552[2], and the system of charity organisation, which had been introduced in 1536, was modified in some details. Two collectors were to be appointed by each parish; they were to have a list of all needy persons as well as of all parishioners, and to "gently ask and demand" regular gifts of so much a week from every man and woman. If any persons declined to give, the parson was to exhort them; and if they were still obdurate, they were to be sent for by the Bishop who was to persuade them as best he might. Under Queen Mary the same system was continued, but Christmas was fixed as the time for obtaining promises about weekly contributions[3]; and it was arranged that if there was such a number of poor that the people could not support them, some might have licenses and badges and go about begging. So far it seemed that local charity, even when organised, did not suffice to provide for the really deserving poor, and that it was impossible to put down open begging altogether. *Charity organisation* A.D. 1552. A.D. 1555.

VI. The Revenue.

155. The Tudor kings were distinguished in various ways from all other English monarchs, but they are specially marked out by the expedients on which they ventured in order to obtain supplies. Their high-handed robbery of religious and charitable institutions is sometimes defended on the ground that the monasteries and hospitals had become useless anachronisms. Their abuse of royal rights, by the reckless debasement of the coinage, seems even less excusable; but we ought to bear in mind that they had very little experience to help them to steer their way through the currency troubles of the sixteenth century. The remedies which they tried aggravated the disease; but this need scarcely be a matter for surprise when we take account *Tampering with the currency.*

[1] 3 and 4 E. VI. c. 16.
[2] 5 and 6 E. VI. c. 2.
[3] 2 and 3 P. and M. c. 5.

A.D. 1485—1558.

of the extraordinary complexity of the financial difficulties of the day.

Debased issues.

The root of the evil lay in a variation in the ratio between gold and silver, and this was in all probability due to the opening up of new sources of supply. There had been frequent complaint that the silver money of the realm was much clipped, and in 1522 the rate at which gold and silver coins of recognised weight should be current in the king's dominions was fixed by proclamation[1]. Soon afterwards a new evil began to appear; the Council had reason to fear that the kingdom would be depleted of its gold altogether, since gold coins were rated much higher in terms of silver in Flanders than in England[2]. With the view of correcting this arrangement two proclamations were issued in 1526 and the value of an ounce of gold in England was enhanced from 40*s.* to 45*s.* in silver. Silver coins were struck of the old purity, but of diminished size, so that they might correspond to the newly-fixed rates of the precious metals; thus two very different issues of silver coins were circulating together, and the clipping of the larger and older coins came to be once more the subject of complaint[3]. Some years afterwards, at the instance of Sir Richard Gresham[4], the restrictions on the import and export of the precious metals were abandoned[5], with the result that England came to be more directly affected by monetary conditions on the Continent. A farther enhancement of gold within the realm from 45*s.* to 48*s.* to check the drain of gold to foreign parts may have been desirable[6]; but the debasement of the issues from the Mint, both of gold and silver[7], had disastrous consequences whatever excuse there may have been from the standards which were adopted in other lands. The difficulty with which Henry VIII. had to contend was not solved till 1816, by the complete acceptance of a gold standard and the

[1] Ruding, I. 302.

[2] *Hall's Chronicle*, 718.

[3] *Tudor Proclamations*, July 5, 1527.

[4] Burgon, *Life of Sir T. Gresham*, I. 34.

[5] 30 July, and 6 Aug., 1539.

[6] 16 May, 1544. *Letters etc., Henry VIII.*, XIX. p. 318.

[7] The lowest depth was reached in 1551, when Edward VI. coined 3 oz. of silver with 9 oz. of alloy into £3. 12*s.* 0*d.* of coinage.

coining of silver as token money[1]; the Tudor monarchs were unable to cope with it. The drain of gold became more alarming than before[2], while at the same time the currency deteriorated still farther. The base issues from the Mint gave an excuse both for the counterfeiting of English coins and for the importation of debased money from abroad[3]. A.D. 1485—1558.

A silver standard.

There can be little doubt that silver was the ordinary standard of value for internal prices; as early as 1530 it was remarked that the groats had been so far reduced in size as to be less valuable than formerly[4], and the debasement of the currency was followed by a rapid rise of prices. The regulations restricting the price of butchers' meat[5] and of poultry[6] had to be revised from time to time. This appeared to be due to special causes; and even the evidence of a considerable rise in the price of corn[7] was not attributed to the condition of the currency. King Henry VIII. issued a *Proclamation concernynge Corne* in 1542, and stated that "corn of all greynes and especially wheate and rye is sodaynely enhaunced at unreasonable prices and one special cause is, by occasion that it is used for a common merchandise, and most commonly bought by suche persons as haue plentie of their owne growthe, to the entente to make a derthe thereof; and dyverse husbandmen and fermers do colour such byingis for sede, where they have no such necessitie to do....the kinges most royall maiestie....consyderyng that (thankes be to God) there is no just ground or cause, why such grayne should be so high enhaunced in price, as it is, but that the enhauncement thereof groweth by the occasion aforesaid, and by the subtle invention and crafte of dyvers covetous persons[8]." The evidence of contemporaries as to what occurred may be perfectly reliable, but we need not accept their explanations of the reasons of changes they deplored. The great rise of wages and prices after the Black

Rise of prices;

how explained by contemporaries.

[1] See vol. II. p. 438. [2] *All such proclamations*, 11 April, 1549.

[3] Ibid. 10 April, 1548. [4] J. Rastell, *Pastime of People*, p. 212.

[5] 24 H. VIII. c. 3; 25 H. VIII. c. 1. *Tudor Proclamations*, 21 May, 1544, 2 July, 1549.

[6] 25 H. VIII. c. 2. *Tudor Proclamations*, 21 May, 1544, 2 July, 1549.

[7] 22 Oct. 1534, 25 March, 1535. The export of grain was prohibited, except under special conditions, on 27 June, 1546, and 24 Sept. 1550. *Tudor Proclamations.*

[8] *Tudor Proclamations.*

A.D. 1485 —1558.

Death had been due to the way in which the labourers took advantage of their monopoly, and in the sixteenth century each class was supposed by its neighbours to be acting in a similar fashion and to be guilty of causing general distress[1].

Combination.

The landlords were said to enhance their rents, and hence it was believed food was dearer; the rich graziers were said to have combined so as to keep up the price of wool, and the clothing trade suffered; and labourers were accused of joining to dictate their own terms to their masters. At the very time when competition was destroying the old institutions, there could be no such close rings formed by rival traders, and it is much simpler to suppose that the main cause of the change lay in the debasement of the circulating medium and the consequent rise in the price of goods of every sort. Indeed the

[1] The unanimous opinion of contemporaries that the rise of prices was due to combination is very curious. It finds expression in the very severe law which was passed against the engrossing of corn, wine, fish, butter, cheese, candles, tallow, sheep, lambs, calves, swine, pigs, geese, capons, hens, pigeons and conies (5 and 6 E. VI. c. 14). This was intended to render food cheap, by preventing middlemen from reaping speculative profits. So too there is a similar enactment about the engrossing of butter and cheese (3 and 4 E. VI. c. 21). The law against conspiracies to raise the price of victuals and to obtain excessive wages is conceived in the same spirit (2 and 3 E. VI. c. 15). But this view of the reason of the rise of prices appears in its most naive form in connexion with the price of wool. We should say that when wool was plentiful it must be cheap, and they felt that since it was plentiful and not cheap, the price must be unduly raised by the speculations of the graziers. "They that have grete numberment of shepe must nedes have great store of woll, and we cannot thynke who shulde make the pryse of woll, but those that have grete plentye of shepe. And we do partly know that there be some dwellynge within these thre shyres (Oxfordshire, Buckinghamshire, Northamptonshire) rather than they will sell their woll at a low pryse they will keep it a yere or twayne and all to make it deare and to kepe it a deare pryse." *Certayne Causes* in *Four Supplications*, E. E. T. S. 96. "Than begane the rank myschyff and distruction of the holl reame to spryng and sprede owt of London duryng this fourty yers past and more. Than begane so many byers of wolle in all contreys callid broggers and not staplers nor clothmakers, but such as gate it owt of pore mens hands and ferms to sell it to the staplers in London for coynne of money. Than began the price of wolle to rise so hygh more and more daily, that fermours alwey metyng at marketts, as alle sorts mete like to like, oone heryng of another the highnes of the price of wolle so risyng stodyed and devisid, how to destroy mens werks of housbondry to encrese more wolle, therof to have the more plenty. So rose the price of wolle so hyghly, that in conclusion fermours, yhe, and gentilmen began to putt ther erthe to idulnes, makyng pasture to fede more shepe to encrease the more staple wolle, in so moch as they begane to serche and stody ther wisdome to accownt the gret profite, that they myght wynne therby, serchyng owt the leyrs of the grownd, wherin Godd gaff his gifft of fyne wolle, either fermours, that of the lordes cowd gete erth in ferme by leisz, or the lordes of the erthe theym selfes, perceyvyng such singularites, made ther accownts." Clement Armstrong in Pauli's *Drei Denkschriften*, 22.

difficulty does not lie in accounting for the rise of prices in the time of Henry VIII., but in understanding why that rise had not taken place before. Not only had the standard been reduced by the issues of 1412 and 1445, but the formation of capital, and the employment of capital in the manufacture of cloth, might have been expected to bring money which had been hoarded into active use, and to increase the rapidity of circulation[1]. This would of itself have rendered a considerable rise of prices possible, even if no diminution had occurred in the size of the coins; but the two causes in combination might have been expected to produce very marked, and not merely slight, changes during the fifteenth century, before the great debasement began. A.D. 1485—1558.

Two matters must however be taken into consideration. In the first place there was an extraordinary and extravagant use of the precious metals in the arts; gold lace, and gold and silver trappings, heavy gilding and massive plate must have been obtained by making use of silver that might otherwise have got into circulation. The frequent regulations of the goldsmiths' trade seem to imply that they found a good deal of employment, and we need not forget that if society generally was distressed in the fifteenth century, there were many individuals who had prospered in trade as clothiers and had made considerable fortunes. Edward IV. did not borrow from the overtaxed towns, but cast himself on the benevolence of individual citizens; the nobles and the gilds vied with one another in costly display. *Extravagant use of precious metals.*

Besides this, the action of Henry VII. in hoarding so much bullion would also diminish the circulating medium and prevent prices from rising. If he withdrew anything like £500,000 a year, it would certainly do a great deal to keep nominal prices stable during the less active period of debasement. Much of this wealth was probably drawn from the private hoards which Edmund Dudley knew so well, and not taken directly from the money in active circulation; but the action of the royal miser would at all events tend to minimise the rise which might have been expected from debasement, and which became more apparent as Henry VIII. squandered his father's treasures. *Hoards.*

[1] See above, p. 428, on the competition of aliens and clothiers.

A.D. 1485—1558. *Social conditions tended to render prices stable.*

Other considerations drawn from general social conditions render it improbable that the debasement would act very rapidly on prices. Money economy was not completely introduced; and under a system of paying labour partly in coin and partly in rations, an alteration in the coinage would be very slowly felt in the agreements between employers and employed. This practice was found not only in the immemorial customs of manorial estates, but in a newly developed industry. We hear of a truck system in 1465, and it existed in the clothing trade, which would otherwise have been most likely to be easily affected by changes in the circulating medium, as it was growing rapidly. So long as natural economy survived or calculated prices were in vogue, there were institutions which tended to diminish the fluctuations; the regulations of each gild, and the jealousy which each gild felt for its neighbours, would make for stability in prices. The relations of exchange were chiefly determined by the calculations of the makers of different wares, and coins were to some extent like counters, in which the payments agreed on could be settled, and for which valuable articles could be procured at the calculated rate.

Mode of payment

Another suggestion to account for the stability of prices during the later Middle Ages has been made by Professor Thorold Rogers, who supposes that payments were generally made by weight and not by tale, and that nominal prices continued to represent the same quantities of silver, though as the coins were reduced, each pound in weight would be made up of a larger number of coins. Some reasons have been given above which tell against this view, for it appears that when payments were made by weight, they were made according to the weight of the current coin[1]; but it is very doubtful if any considerable number of transactions in silver money were conducted in this cumbrous fashion during the fifteenth century. There can be no doubt that payments by tale were common at the time of the Conquest, and it is not clear why the more primitive practice should have been re-introduced, while it is difficult to see what possible motive

[1] See above, p. 326, n. 5. A proclamation of July 5, 1527, takes account of the practice of paying by weight, but it does not appear to have been the ordinary practice. *Tudor Proclamations.*

there could be for diminishing the size of the coins, if the Crown was not to pay by tale, and so to gain the difference. When the state of the currency was the subject of official enquiry in 1382, John Hoo suggested that a remedy would be found[1] by insisting that payments should for the future be made by weight; this sufficiently proves that payment by tale was a usual practice then. On the whole we are forced to suppose that silver payments were usually effected by tale, and that, when made by weight, they were reckoned in terms of the diminished coins, so that the stability of prices is due to the fact that the value of silver was steadily rising at the time when the kings were reducing the weight of their issues. A.D. 1485—1558. *and rise in the value of silver.*

These considerations as to the structure of society and doubts about the mode of payment serve at least as suggestions which may some day or other be so far confirmed as to render the stability of prices in the fifteenth century more explicable. They may certainly warn us against the error of trying to interpret the fluctuations of mediæval prices as easily as the changes which take place in the modern society with which we are perfectly familiar; in the case of articles such as corn, in regard to which no general regulation was possible and where fluctuations were frequent, the difficulty of carriage and the accidents of drought or flood, made it possible for prices to be at a famine point in Leicester while they were much more moderate in London. Changes in prices, while the state of society is known and remains practically unaltered, may lead us to examine the possible causes of change, and may even help us to estimate how great a change has been brought about by some known cause; figures may give more precision to the knowledge we already possess, but we must have some acquaintance with the social conditions and the forces that were actually at work in each age, if we are to avoid anachronisms in trying to interpret the course of commercial transactions. *Difficulty of interpreting prices.*

156. The remissions which had been so constantly allowed during the fifteenth century, in voting fifteenths and tenths, *Tenths and fifteenths.*

[1] *Rot. Parl.* III. 127 a.

A.D. 1485 —1558.

made it obvious that some new form of contribution must be devised. The fifteenths and tenths, which had been originally a payment of fractions of actual possessions, were in 1334 turned, by agreements between royal commissions and the local authorities, into fixed payments to be regularly made and accepted in lieu of accurately assessed fractional parts of the actual wealth at the time when a fifteenth and a tenth were voted[1]. The towns which had declined in importance were too heavily burdened, while there must have been many wealthy clothiers and graziers who only contributed a very small quotum for public purposes. It would have been very difficult to upset the old settlement; Englishmen have apparently always objected to inquisitorial levies based on attempts to find out what their actual possessions amount to, and greatly prefer to pay a fixed sum. The levying of an additional charge was the simplest solution. In 1514 when the Commons were endeavouring to make up the deficiency which had been caused by Henry's French expedition of the year before, they granted a *general subsidy* of 6*d.* in the pound; and similar general subsidies were afterwards voted along with grants of fifteenths and tenths. As an illustration one may refer to the Act of 1534[2], when supplies were voted because of the expenses incurred by the king during the twenty-five years just closed in war with Scotland, in fortifying the Northern Border, and in renovating the defences of Calais and the harbour of Dover; and also because of his intention "to bring the wilful, wild, unreasonable and savage people of his said land of Ireland, and his whole dominion of the same, to such conformity, rule, order and obedience as the same for ever hereafter shall be much utile and profitable to the kings of this realm, and a great surety and quietness to the subjects and inhabitants of the same." A fifteenth and tenth were then granted; and in addition a general subsidy of one shilling in the pound on the property of those who had lands of £20 a year, or goods to the amount of £20, and who were subsequently known and commonly spoken of as 'subsidy' men. Gilds, Corporations and Companies, as well as all aliens, were to pay at double this rate. The king was

General subsidy.

[1] Dowell, *History of Taxation*, i. 97.

[2] 26 H. VIII. c. 19.

to send commissioners to every shire, who were to make enquiries through the constables as to the amounts which different persons should contribute to this tax; these persons had however the opportunity of appealing to the commissioners if they were overcharged. But this elaborate machinery did not really serve for the purpose of readjusting the claims of the revenue, as the wealth of the country developed; the assessment got into a regular groove. Each subsidy was simply based on the payments made on the last occasion when one was levied; and thus in the later Tudor times a subsidy came to mean a payment of about £80,000[1], though there never were such definite agreements as those which had reduced the fifteenths and tenths to payments of about £37,000, irrespective of the actual value of the property of which they professed to be fractional parts. A.D. 1485 —1558. *A fixed levy.*

So far for direct taxation. A very important change was also made in the collection of the customs during this period; the old practice had been to take the oaths of the merchants as to the value of the goods which were passing in or out; in the time of Queen Mary, however, a book of rates was compiled, which assigned an official value to different classes of goods[2]. This may have served a double purpose, as it prevented frauds on the part of merchants, and it would probably operate as a check upon the collectors. It was notorious that frauds on the revenue were constantly practised by the officers; there was surely some exaggeration in the statement of the Venetian ambassador that of £200,000 levied from merchants, only a fourth part reached the royal treasury[3], but the accounts show that the admitted expense of collection was sixteen per cent.[4], and this may in itself be taken as evidence that the management was inefficient and corrupt. *Customs.*

The returns of the customs also reflect the changes that were going on in English commerce. In the time of Edward III. the main revenue had come from the custom on wool, but during the Tudor period this became less important[5], *Cloth.*

[1] Dowell, I. 197.
[2] Ibid. I. 165.
[3] Ibid. I. 166.
[4] Hall, *Customs*, II. 141.
[5] Ibid. II. 138.

A D. 1485 —1558. while on the other hand the revenue obtained from cloth was increasing; what remained of the Great Custom on wool was assigned for the maintenance of Calais, and at the fall of that town the whole system was re-arranged by the book of rates.

One other matter of considerable importance comes out in the Tudor times, and especially in the reign of Mary, for new payments over and above the customs, tonnage and poundage were levied as 'impositions' on the goods imported by aliens, and on the importation of foreign luxuries. This was a new development of the ancient prerogative of the Crown[1], and it was used in a fashion which did not at first render it unpopular, for it was the means of giving special advantages to English merchants, and of protecting English artisans. This definite political object was kept clearly in view with regard to direct and indirect taxation alike. In the very same year in which the general subsidy was voted, which aliens paid at a double rate[2], the king was empowered[3] to re-arrange the whole scheme of rates; and the subsequent manipulation of the new customs was prejudicial to alien merchants, while the levying of impositions was favourable to the English artisan. The conditions under which aliens had to trade were rendered so hard that so soon as English shipping again revived under Elizabeth they were driven out of the field; in the time of Edward III. they had done most of the trade of the country, but they had been gradually forced out of internal trade and were now driven from conducting our foreign commerce.

Imposition.

A D 1534.

VII. Changes in Opinion.

157. The period which we have been reviewing was a time of transition; mediæval life was breaking up, and modern society was slowly rising on its ruins; but just because it was a time of startling changes, it was not a time when the full bearings of these changes could be

[1] Hall, *Customs*, I. 124.
[2] 26 H. VIII. c. 19.
[3] 26 H. VIII. c. 10.

clearly understood, and there is very little progress in thought on economic matters. A.D. 1485—1558.

National regulation for national objects was accepted as necessary and right; but the maxims by which effect was being given to this aim had not taken such a firm hold on the minds of the men of the time as to dominate over practical politics. Under Edward VI. it was impossible to sacrifice the least chance of obtaining an immediate revenue, and the increase of the customs was felt to be of more importance than anything else; hence the navigation law with regard to wine and woad was suspended. Everyone seemed to be poor; the range of prices was high, and it appeared cruel to force up the price of bread to a higher level; hence corn laws were dispensed with, though the government was most anxious to encourage tillage. The collection of the full 'fifteenths and tenths' from the old and highly assessed towns was rendered difficult by the migration of industry to more favourable centres, and this natural development was checked in the hope of reviving the prosperity of decaying towns. The government of Edward VI. was living from hand to mouth, and was forced to discard all the recognised principles for increasing the power of the nation, in order to keep things going from day to day. But just because the government was living from hand to mouth, and was unable to attend to the development of the national wealth and to strengthen the foundations of national power, little fresh experience was obtained as to the best means of promoting this object, and of so systematising industry and commerce as really to build up the national strength. *Mercantile system set aside under Edward VI.*

The government of the day could not afford to attend to the development of the power of the country, and it was also suspicious of the new element which was coming into play to facilitate improvements in the production of wealth. So far as it had intruded in rural districts, capital was bringing about progress of many kinds; but contemporaries did not welcome this advance; on almost every side an outcry was raised, and the legislature were ready to check the new mode of working. The large graziers and the wealthy clothiers were held up to execration, and every effort was made to retain the *Capital.*

A.D. 1485 —1558.

old arable farms, and to regulate the action of capitalist employers in the cloth manufacture. In our time the wealthy capitalist has been spoken of by men of the Manchester School with great enthusiasm as if he were a sort of national benefactor; in Tudor days he was regarded with grave suspicion. There was at that time a remarkable growth of this very powerful factor in economic life; but so much attention was directed to the evils which accompanied it, that no one recognised the importance of the power of capital, nor gave serious thought to the question of directing it aright.

158. The economic literature of the time is of great interest, since it reflects current opinion at a time of startling change; but just because the times were so confused, there was much difficulty in obtaining a clear grasp of economic principles, and the writing of the Tudor reigns has very little scientific value. The surviving literature is full of interesting description and suggestion; but if we except the *Discourse of the Common Weal* which was probably written by John Hales[1], there is little sign of greater accuracy of thought or definition of language in dealing with the social and economic problems of the time. He was the only writer who did much to give clearness to the current ideas of national prosperity, or to lay down principles which should guide men in pursuing it. There are, however, some treatises of a practical character which show a distinct progress in particular arts.

Description of economic changes.

Husbandry.

Fitzherbert's *Husbandry* is in itself evidence that serious and conscious efforts were being made to improve the agriculture of the country. Till the sixteenth century Walter of Henley's treatise had been the best work on the subject; and though the later copies and English translation show, by the interpolations, that some progress had been made in knowledge

[1] From the two MSS. which she had discovered (Mr Lambarde's, and the Bodleian) Miss E. Lamond proved that the date of this dialogue is 1549, and showed that the edition published in 1581 had been deliberately garbled. Of the three MSS. which have been identified since her text was printed, two—Lord Calthorpe's and the Hatfield MSS. (see vol. II. p. 162)—are very similar to the Bodleian. The British Museum MSS. (Harl. 4888), to which my attention was drawn by Prof. C. M. Andrews, is closely allied to the Lambarde copy, though it is not disfigured by so many careless blunders, and it contains the table of contents for the third dialogue.

that was necessary for the grazier, the thirteenth century suggestions appear to have been accepted as a sufficient guide in regard to tillage. Fitzherbert was possibly acquainted with Walter of Henley's book and deals with similar topics: but he was also a practical farmer and he embodied the result of forty years' experience[1] in the treatise he wrote, out of the "great zeal, love and comfort," he bore to the "farmers and tenants, and all other goddis creatures that they may surely easily and profitably increase and susteyn their poore householde, wyves and chyldren, and also truly to pay theyr rentes customes and services unto theyr lordes." It opens with a discussion of the parts of a plough, and the best team for doing the work, and gives practical hints on all agricultural operations, as well as on the management of sheep, cattle, horses, pigs and bees; it is specially explicit on hedging and ditching and on arboriculture; the concluding portion is taken up with remarks on household and personal duties. This work went through an extraordinary number of editions in the sixteenth century; and the author also issued another tract on *Surveying*, intended, not for the husbandman, but for the landlord. It is a treatise on estate management in the form of a commentary on the *Extenta Manerii* in the Statute Book. The author speaks very strongly about the iniquity of unfair evictions, and adjures lords that they "doo not heighten the rents of their tenants." "A greater bribery nor extortion a man cannot do than upon his own tenants for they dare not say nay, nor yet complayne, and therefore on their sowles go it that so do and not on myn[1]." At the same time he is fully alive to the advantages of convertible husbandry, and in the last chapter he shows how by enclosing, the annual value of a township may be increased fifty per cent.

A.D. 1485 —1558.

Surveying.

When the work of enclosure was actually undertaken, the process of measuring out each man's holding and readjusting the various lots must have presented grave practical difficulties; it was hard enough to manage this satisfactorily in the

[1] See the colophon. This statement renders it probable that the work was not written by Sir Anthony Fitzherbert, but by his elder brother John. Compare R. H. C. Fitzherbert, *The Authorship of the Books of Husbandry and Surveying* in *English Historical Review*, XII. 225.

A.D. 1485—1558. later era of enclosing, at the beginning of the nineteenth century; and Fitzherbert wrote his *Husbandry* with a view to the requirements of landlords who were not able to write[1], and there was much need for a simple book of rules for the more ordinary calculations in connection with the management of land. This was supplied by Sir R. de Benese, a Canon of Merton, whose *Boke of the measuring of land* was published in 1537. One can easily see that, in conjunction with Fitzherbert's hints in regard to quick-set hedges, it would be a real help in carrying out the enclosure of open fields.

Mensuration.

The section of Fitzherbert's *Husbandry* on Horticulture would be acceptable at a time when increased attention was being given to gardens and orchards[2]. There are signs of a revived interest in this matter in the fifteenth century, as the work of Palladius enjoyed a considerable popularity. It was translated in verse by a Colchester Monk[3], and formed the basis of a *Treatise of Planting and Grafting of Trees* which is sometimes found in conjunction with Walter of Henley[4]. The merchants and clothiers were inclined to take to rural pursuits[5], and they had plenty of money to invest in the planting of trees and laying out orchards and vineyards.

Arboriculture.

There is another series of writings which have survived, and which bear on practical matters of another kind. There is a great deal that is fascinating in the accounts of voyages, and the speculations which go to make up so much of the literature of discovery. The whole world then afforded problems such as are now presented by the remoter parts of Africa; one writer after another collected accounts of voyages and travels, and on the information thus obtained, schemes for new expeditions were based. Hakluyt's great

Travel and discovery.

[1] See the chapter entitled, *A short information for a younge gentleman that intendeth to thrive*, f. 57.

[2] On the introduction of Kentish Cherries by Harrys in the time of Henry VIII. see Pennant, *Journey from London to I. of W.*, I. 51.

[3] Edited for the E. E. T. S. from a MS. of about 1420 A.D.

[4] British Museum, Sloane, 686. It also occurs with the translation of Walter of Henley which was ascribed to Grossteste and printed by Wynkyn de Worde: there is an example in the Cambridge University Library. It is also printed by Douce in his edition of *Arnold's Chronicle:* it seems to have had an interest for a city merchant as well as the forms of letters of credit which stand beside it in his book.

[5] Crowley's *Epigrams, Of Merchants*, p. 41.

collection is full of recitals of pluck and enterprise, but none of the papers it contains is of greater interest than Mr Thorne's argument in favour of prosecuting the north-west passage. In particular it brings out clearly the objects which attracted the English merchants of that time in urging the government to carry on the work of discovery; they were eager to trade and to secure a share of the highly prized spices of the East, for which the demand in Europe was very great, and also to establish factories and plantations. The idea of mining for the precious metals did not take a prominent place in their schemes, at first; but as the Spaniards obtained larger spoils and at last opened up the seemingly inexhaustible treasures of Potosi, English enterprise was for a time diverted to lawless methods of sharing their booty and to lands where similar gains might be secured. A.D. 1485 —1558.

159. The treatises which deal with strictly economic topics are of great interest from the way in which they afford an insight into opinion current at the time, but the explanations they give of the phenomena they describe do not commend themselves to the modern mind as sufficient. The very form of some of the most interesting works indicates the uncertainties of the times; for the chief writings which deal with the welfare of the nation as a whole, do not lay down definite principles, but set forth conflicting opinions in dialogue form. More's *Utopia* and Starkey's *Dialogue* are both works of intense interest, but it is hard to see that the authors reach any very definite conclusions, or are able to formulate any new principles for economic life. The justification of sheep-farming, which is put in the mouth of Cardinal Pole, and assertion of the benefits which accrue to us from being able to buy foreign goods which we cannot make at home, may be taken as an interesting statement of the importance of securing plenty, but it cannot be said to advance beyond the views of Edward III. and his counsellors. To make a real step forward it would have been necessary to show how this pursuit of plenty could be really reconciled with the pursuit of power, which seems to be the guiding principle in other passages; but as this is not done the whole tract lacks cohesion. On the other hand, in the *Discourse of* *Dialogue.*

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the Common Weal of this Realm of England the dialogue form serves not only to set forth the complaints of different classes, but to lead up to the very acute and discriminating remarks in which the Doctor suggests remedies to be applied.

Preachers and moralists

Besides these dialogues, there is a good deal of literature which deals with economic topics from a moral point of view, though it gives little definite light. The sermons of Clement Armstrong, Latimer, and Gilpin[1] are full of spirited denunciation of the vices of the time. There is a still greater interest attaching to the *Tree of the Commonwealth*, the treatise which Edmund Dudley wrote while in prison and

A.D. 1550.

sent to King Henry VIII., and Crowley's *Epigrams* contain some pointed remarks. But these moralists do not speak with a very certain sound; they waver between principles of Christian duty and judgments of political expediency, and though their exhortations were very vigorous, we can hardly be surprised that they were not effective, for there is no satisfactory basis for positive teaching.

uttered fine sentiments but did not formulate principles of duty

So long as they confined themselves to denouncing vices there was little difficulty. Some launched out against the extravagance of the rich, some against the idleness and discontent of the poor, some against the greed of merchants in their bargains, some against the harshness of landlords in raising their rents. We may agree that all social evil springs from human selfishness and admit that if all men did their duty unselfishly and wisely the whole nation would be in a better state; but these are mere truisms. What was needed was definite teaching as to the particular duties of life in each different position in society. Mediæval moralists had distinguished the kind of transaction that was right from the kind of transaction that was wrong, and the distinctions they drew could no longer be enforced; there are also signs of a feeling that the self-interest, which they denounced absolutely, was not only sometimes allowable but, when kept within due limits, was positively beneficial to the community.

which were applicable

Christian moralists in all ages had said it was wrong not to work; and in the organised structure of mediæval society

[1] Strype, *Ec. Mem.* II. ii. 134.

there was little difficulty in saying what each man ought to work at, or how long he should work. He might serve the king in war, or till the soil, or follow his trade and make goods to sell; but in a time of transition, when there were so many who could get no work to do, there seemed to be no particular use in reproving them for being idle. Lupset and Dudley are both inclined to take that line, but what was really needed was some positive teaching as to the duty of employers. They were turning men off from the opportunity of working, and were thus increasing idleness, but there was great difficulty in deciding what their duty really was. It is not a duty to find a man in work, in the same way as it is a duty to pay him for the work he does; the obligation is entirely different. It may be an act of charity to make employment for those who are out of work, but it is impossible to say that it is the duty of every employer to carry on his business in such a fashion as to provide the greatest opportunities of employment. This has been seriously urged[1], and it is a common feeling on the part of those who destroy property in the vain hope of thereby making work. But there is no need to demonstrate how unsound the position is; all the great improvements in the power of satisfying human wants have come about by introducing natural forces to lighten the pressure of the drudgery done by human muscles—but at the same time each step in advance has necessarily restricted the opportunities of employment, for a time at all events. Preachers could not positively say that it was a duty to conduct affairs in such a way as to give employment, but they gave utterance to a sentiment that it was wicked not to do so.

A.D. 1485—1558. *in new circumstances.*

Is it a duty to give employment?

In similar fashion all Christian moralists had contended that it was wrong to be greedy of gain; and the merchant, as a man who was peculiarly liable to this temptation, was held to pursue a dangerous calling. There had been a great deal of acute casuistry expended on the effort to distinguish what kinds of transactions were fair, and what were to be deprecated; to ask for a share in the profits of business while bargaining to be free from the risks, had always been denounced as wrong; and yet in the changed

The greed of gain

[1] Defoe, *Plan of English Commerce*, 58.

A.D. 1485—1558. circumstances of Tudor times it was very hard to say precisely why it was wrong. Professor Ashley has examined the teaching of continental Canon Lawyers and Theologians in the fifteenth and sixteenth centuries[1], but it is not easy to see the precise influence which their decisions exercised on the practical conduct of business in England[2]. To lend a merchant money, and to bargain for a definite, instead of a contingent, share in his gains was not extortionate, and it was convenient to both parties; was it allowable that it should be done or not[3]? What benefited trade benefited the realm; and though the sentiment against usury survived, the ordinary conscience did not feel clear that it was altogether an evil practice, since there was difficulty in saying why it was hurtful. Moralists could no longer get a hearing when they insisted that it was wrong to take any payment for the mere use of money; all they could urge was that people should not lend on exorbitant terms; but there was no rational definition of what was excessive, for the limiting of the rate to 10 per cent., as was done in 1545[4], was no real solution of the difficulty; to some borrowers 10 per cent. might be an excessive, to others it might be an easy rate.

without risk.

The duty of work and the evil of greed had been the two great foundations of Christian teaching on social matters; and in the Tudor times, the maxims which had been thought out and formulated by Christian moralists became inapplicable for guidance in actual life. This change was due to the introduction of capital. The duties of employers could not be laid down as duties of strict obligation, nor could the right and wrong use of capital be stated with perfect precision; both were constantly treated and regulated not as matters of right and wrong, but with a view to political expediency; their bearing on the power of the state came to be the criterion of what was allowable. In this way enclosures were deprecated, and on this ground the State did much to control the direction in which capital

The power of capital

[1] Ashley, *Economic History*, I. ii. 397.

[2] See p. 367, above.

[3] On the *contractus trinus* or threefold bargain with one person, which opened the way for lending at definite interest to persons engaged in trade, see Ashley, *Economic History*, I. ii. 440.

[4] 37 H. VIII. c. 9.

was employed; but Christian moralists were no longer able to give positive teaching as to what was right or wrong, they were contented to appeal to sentiments which practical men regarded as merely fanciful. The outcry against the un-Christian character of social life in the present day is a vigorous protest against the movement which has been going on steadily since the fifteenth century. Since the power of capital has come into being, society has been reconstituted on a basis in which the old moral distinctions do not apply; the sentiment has remained, but merely as a sentiment, and no serious effort has been made to determine what is right and what is, not criminal but still wrong, so as to give clear and definite guidance in ordinary business affairs.

A.D. 1485—1558.

and the protests of sentiment.

160. The good intentions and the real weakness of current economic discussions are admirably exemplified in a paper which possesses a special interest, as it is in the handwriting of King Edward VI.[1] In presence of the social disorganisation of the time, there was a wide-spread feeling that it would be well if everyone would do his duty in his own station of life; this was one element of canonist teaching which, as Professor Ashley has pointed out, has to some extent survived. "Men * * had been placed by God in ranks or orders, each with its own work to do and each with its own appropriate mode of life[2]." Fitzherbert[3], following the *Game and Play of Chesse* which is familiar to lovers of Caxton, insists on the differences of degree[4] among men, and the importance of fulfilling the "authorities, works and occupations" for which they were respectively responsible. The idea runs through the whole of King Edward's tract. He is nervously anxious that society should be well organised with each man in his own appropriate place, and he dreads any increase of individual wealth which should disarrange the social fabric. The gentleman who took to sheep farming, the merchant who became a landed man, the farmer who took several farms at once, or who became a pedlar merchant, the artificer

Edward VI., and national economy.

Differences of degree.

[1] *Discourse about the Reformation of many abuses. Temporal Regimen.* Burnet, *Reformation*, v. 97.

[2] Ashley, *Economic History*, I. ii. 389.

[3] *Husbandry*, Prologue.

[4] Shakspere, *Troilus and Cress.* I. iii. 83.

A.D. 1485 —1558.

who for his more pastime would live in the country, were all pushing, prosperous men, but they were all obnoxious according to Edward's idea of a well-ordered commonwealth.

The proportion of the country.

No one should have more "than the proportion of the country would bear"; and therefore the king approved of laws for preventing any one man from having too many sheep, or more than two farms or more than one trade to live by.

There is indeed a constant and ever recurring difficulty between maintaining a systematic organisation on the one hand and leaving scope for expansion and growth on the other[1]. Regulation and organisation are good, but they become an evil if it is necessary to sacrifice activity and vigour in order to maintain them; and this was what Edward was quite prepared to do, in his capacity as head of the body politic, and to ensure that no one part of the body should "eat up another through greediness." But in attempting to repress the evils of the time he had no clear principle to guide him, but the rough guess that it was "hurtful to enrich immoderately any one part. I think," he writes, "this country can bear no merchant to have more land than £100; no husbandman nor farmer worth above £100 or £200; no artificer above 100 marc; no labourer much more than he spendeth. I speak now generally, and in such cases may fail in one particular; but this is sure: This commonwealth may not bear one man to have more than two farms, than one benefice, than 2000 sheep, and one kind of art to live by. Wherefore as in the body, no part hath too much nor too little, so in a commonwealth ought every part to have *ad victum et non ad saturitatem*." But the whole of his argument suffers because there is no clear principle to which appeal can be made; the proportion of the commonwealth gave no certain guidance. He entirely failed to see that the very energies which he was repressing were working indirectly for the

Repression

[1] As a modern analogy we may notice how with the growth of Trades Union organisation there has been a tendency to restrict each individual to specific departments of work and in some cases to a limited amount of work (Schloss, *Methods of Industrial Remuneration*, p. 14), according as the 'proportion' of the trade 'would bear.' These restrictive regulations have called forth much criticism on the ground that they were unfair to energetic individuals and interfered with the expansion of English trade.

enriching of the whole commonwealth, so that in time to come each of the various classes would be the gainers; the proportion of the country was so altered that it was able to bear the rise of a moneyed class, and middle class, and the struggles of a vast working class, to help themselves. A.D. 1485–1558.

Anticipation of modern views on

The contrast is easily pointed by turning to the contemporary writing which affords a singular anticipation of the modern attitude of mind, on most of the questions in dispute. *The Discourse of the Common Weal* has always been regarded as an accurate and striking work; but it gains immensely in interest now that we know its real date[1], and are able to see how much its author was in advance of his contemporaries. He treats of each of the topics which attracted attention in his day, and he deals with each in a masterly fashion; there is much that is remarkable as a vivid description of the state of the times, but the main interest lies in the clear enunciation by the leading speaker in the dialogue of principles which his companions are skilfully led to accept. A brief summary of the leading principles the *Doctor* lays down will serve to bring out the epoch-making character of this treatise.

Taxation.

The Political Philosophy which is implied in the *Doctor's* remarks first claims our attention; it shows a curious similarity to the principles which were implicitly assumed by economists for the next two hundred years. 'Modern Political Economy,' says Mr Bonar, 'may be said to begin with the introduction of taxation as a means of supporting states[2].' This method of finance is habitually assumed by the *Doctor*. 'So long as the subjects have it, so it is meet the king should have it; but what and they have it not? for they cannot have it when there is no treasure left within the realm....And as for the subsidies, how can they be large, when the subjects have little to depart with?' The paragraph as summarised in the margin—'How the king cannot have treasure when his subjects have none[3]'—gives a philosophy of taxation in a nutshell.

[1] See p. 552, n.

[2] *Philosophy and Political Economy*, p. 59.

[3] *Discourse of Common Weal*, p. 35.

A.D. 1485—1558.

Self-interest,

A still closer affinity with modern habits of thought is brought out by another point. All through the middle ages self-interest and private lucre had been spoken of as immoral and evil principles which ought to be put down; as we have seen the preambles of the Tudor statutes reiterate the condemnation[1]; and writers of every school of thought were equally strong in denouncing them. But in modern times, self-interest is recognised as a stimulus to energy and enterprise, which may have beneficial results; we are inclined to let it have free play, or only to check it when its influence is plainly baneful. Under the Mercantile System it was the avowed object of statesmen to play upon self-interest so as to direct it into the wisest channels; and with this the *Doctor* agrees. Men 'may not purchase to themselves profit by that that may be hurtful to others. But how to bring them that they would not do so is all the matter[2].... True it is that that thing which is profitable to each man by himself (so it be not prejudicial to any other) is profitable to the whole commonweal, and not otherwise[3].... To tell you plainly, it is avarice that I take for the principal cause; but can we devise that all covetousness may be taken from men? No.... What then? We must take away from men the occasion of their covetousness in this part[4].' This discriminating view of self-interest marks a considerable divergence from contemporary writings; and the general attitude of the *Doctor* corresponds very closely with that taken by economic writers long after his time.

the Currency,

When we turn to specific economic doctrines we find that the *Doctor* is perfectly clear on one important point, which was not fully understood by some of the financial authorities of his own day. He is quite decided as to the evils of a debased currency, and as to its effect in causing dearness or dearth 'And thus to conclude,' he says, 'I think this alteration of the coin to be the first original cause that strangers first sell their wares dearer to us; and that makes all farmers and tenants, that reareth any commodity,

[1] See above, pp. 480 n., 526, and 556.
[2] *Discourse of Common Weal*, p. 50.
[3] Ibid. p. 51.
[4] Ibid. p. 121.

again to sell the same dearer; the dearth thereof makes the gentlemen to raise their rents[1].' This is a commonplace now, but it was an acute observation at that time. A.D. 1485—1558.

While there is no sign of attaching undue importance to the precious metals, as if they were the only wealth, there is a clear recognition of the fact that a treasure of gold or silver is necessary for the royal requirements, especially in war, and that this might be most easily supplied through the commercial balance of trade. 'If we keep within us much of our commodities, we must spare many other things that we have now from beyond the seas; for we must always take heed that we buy no more of strangers than we sell them; for so we should empoverish ourselves and enrich them. For he were no good husband that hath no other yearly revenues but of husbandry to live on, that will buy more in the market than he selleth again[2].' The *Doctor* takes the mercantilist position as distinguished from the bullionist. Modern writers are inclined to assert that the object which these parties had in view was a mistaken one; without discussing this criticism it may be enough for me to point out that the *Doctor* advocates the more sensible means for attaining the end in view; in 1549 he urged an opinion which found general acceptance a century later. *the balance of trade.*

If we pass now from points of doctrine to direct practical proposals, we find the *Doctor* recommending measures, the wisdom of which was eventually recognised, so that they were adopted at later times. *Practical proposals*

The dialogue of 1549 is full of remarks[3] on the debased state of the coinage; among them is a suggestion as to the best method of effecting a remedy. After criticising various proposals for a gradual change, the *Doctor* says, the goldsmiths 'apperceiving the new coin of gold to be better than the new coin of silver that was made to countervalue it, picked out all the gold, as fast as it came forth *for recoinage,*

[1] *Discourse of Common Weal*, p. 104. It is one of the grounds for believing that the *Doctor* was drawn from Hugh Latimer that this bishop had expressed himself in similar terms in his Lent sermons before the King. (*Sermons*, 68, 95, 137.)

[2] Ibid. p. 63.

[3] These were recast or omitted as no longer applicable in 1581, when W. S. issued his edition.

A.D. 1485—1558.

of the mint, and laid that aside for other uses; so that now ye have but little more than the old current. And so both the king's highness is deceived of his treasure, and the thing intended never the more brought to pass; and all is because there is no due proportion kept between the coins, while the one is better than the other in his degree. And as I meant to show you another way; that is, if the king's highness should call in suddenly all his now current money, and set forth a new coin somewhat better, but yet not all so pure as the old[1].' It is interesting to notice how closely the suggestion here made tallies with the plan actually adopted in 1560.

for encouraging skilled 'foreigners,'

The *Doctor* was also strongly in favour of inviting skilled artizans to settle among us. He would not set the privileges of the old companies entirely aside, but he condemned them as being sometimes injurious. 'I say not that strangers should commonly have like liberty or franchise [as they that were prentices in a city]. But as one craft makes but one particular company of a town or city, so I would have the wealth of this city regarded, rather than the commodity or franchise of one craft or mistery: for though commonly, none should be admitted there to work but such as is free, yet when a singular good workman in any mistery comes, which by his knowledge might both instruct them of the town, being of the same faculty, and also bring into the town much commodity besides, I would in that case, have private liberties and privileges to give place to a public wealth, and such a man gladly admitted for his excellency to the freedom of the same town, without burdening of him with any charge for his first entry or setting up. Yea, where a town is decayed, and lacks artificers to furnish the towns with such crafts, as either were sometime well exercised there, or might be by reason of the situation and commodity of the same town, I would have better crafts allured out of other places, where they be plenty, to come to those towns decayed to dwell, offering them their freedom, yea their house rent free, or some stock lent them of the common stock of such towns. And when the town is well

[1] *Discourse of Common Weal*, p. 106.

furnished of such artificers, then to stay the coming of foreigners; but where the town lacks inhabitants of artificers, it were no policy for the restoration of the town to keep off any strange artificers; for the most part of all towns are maintained by craftsmen of all sorts, but specially by those that makes any wares to sell out of the country and brings therefore treasure into the same[1].' When we remember how much England has gained from the introduction of skilled workmen under Elizabeth, and in later reigns, we cannot but feel that the *Doctor* was wise in pleading for such liberty. A.D. 1485—1558.

The most imminent danger of his time was of course due to the increase of sheep farming at the expense of tillage, and the agricultural policy which the *Doctor* suggests closely coincides with that which was eventually adopted. He was anxious to make the profit of the plough as good as the profit of the grasiers[2]; he proposed—in language which still more closely harmonises with the views of the statesmen who granted Corn Bounties under William III.:—that 'the husbandman might have as much liberty at all times to sell corn, either within the realm or without, as the grasier hath to sell his; which should make the husbandmen more willing to occupy their plough. And the one seeing the other thrive would turn their pasture to tillage. And though it enhanceth the market for a time, yet would it cause much more tillage to be used, and consequently more corn; which in time of plenty within the realm, might bring in much treasure; and in time of scarcity would suffice for the realm, as I showed you before. And thus with lucre they should be enticed to occupy the plough[3].' A comparison of this argument with the remarks of Harrison, some thirty years later, on Corn Bodgers[4], enables us to feel how much the *Doctor* was ahead of his contemporaries. It is not a little noticeable that as in his commercial principles, so with respect to industry and agriculture, he makes recommendations which were afterwards generally accepted, and long maintained. *and for remedying depopulation.*

The author of the *Discourse* was in advance of his time,

[1] *Discourse of Common Weal*, p. 129.
[2] Ibid. p. 53.
[3] Ibid. p. 123.
[4] *Description of England.*

A.D. 1485 —1558.

The Elizabethan code.

and full effect was not given to all his ideas when the economic system of the country was really organised on a national basis in the time of Elizabeth, but there was comparatively little of the repression which Edward recommended; and the repression was exercised in connexion with a political, not an economic, principle. The idea of national power which had been gradually coming into clearer consciousness was treated seriously by her advisers; private interest was looked on with disfavour, but it was only repressed when it conflicted with the strength of the realm; for the rest its activity and force were recognised and directed. The true solution of the conflict between public and private interest is not perhaps to be stated in general terms; it must possibly be discovered anew by each age for itself; but we may at least feel that if the legislation of Elizabeth had been drafted in the spirit which inspired Edward's little essay, it could not have stood so firmly or so long as it did. Rules were laid down for every department of life—for industry and agriculture and commerce—and a very elaborate code was passed for employers and employed and unemployed. Yet so much scope was given for enterprise and the accumulation of wealth that the great force of private interest was guided and regulated, not repressed; its best energy was directed into channels which served to promote the riches of individuals, and did not at any rate injure the power of England.

APPENDIX.

A. THE ASSIZE OF BREAD.

THE earliest form of regulations for the price of bread, which might possibly have influenced English ordinances on the subject, is to be found in the Frankfort Capitulare of A.D. 794. It aims at limiting the price of corn and of food, no matter what the season might be, and fixes a maximum rate; this was a matter of importance for Charles and his court.

Statuit piissimus dominus noster rex, consentienti sancta synodo, ut nullus homo, sive ecclesiasticus, sive laicus sit, ut nunquam carius vendat annonam sive tempore abundantiæ sive tempore caritatis, quam modium publicum et noviter statutum. De modio de avena[1] denario uno, modio ordii[2] denariis duo, modio sigli[3] denarii tres, modio frumenti[4] denarii quatuor. Si vero in pane vendere voluerit duodecim panes de frumento, habentes singuli libras duas, pro denario dare debeat, sigalatius quindecim æquo pondere pro denario, ordeaceos viginti similiter pensantes, avenatios viginti quinque similiter pensantes. De vero annona publica domini regis, si venundata fuerit, de avena modius 2 pro denario, ordeo den. 1, sigalo den. 2, frumento mod. denar. 3. Et qui nostrum habet beneficium, diligentissime prævideat, quantum potest Deo donante, ut nullus ex mancipiis ad illum pertinentes beneficium famen moriatur, et quod superest illius familiæ necessitatem, hoc libere vendat jure prescripto[5].

In London regulations were made on this subject at a very early date; the following rule, which occurs in close conjunction with one for wages, is certainly not later than the twelfth century, and may be earlier[6].

DE CONSTITUTIONE ET PONDERATIONE PANIS.

Lune post *sanctum* lucam *constitutum est* apud Gildh*allam* q*uando* frumentum vendebat*ur* p*ro* xl et aliud p*ro* xxxviij d. tunc ponderavit gastell*um*[7] de ob. lx sol*idos* et panis bisus[8] de ob. ix marc*as*.

[1] Oats. [2] Barley. [3] Coarse wheat. [4] Wheat.
[5] *Capitularies*. Migne, XCVII. 193.
[6] British Museum, Add. 14,252, f. 118 b, in a twelfth century or very early thirteenth century hand.
[7] Wastel bread, fine bread (Fr. gâteau). [8] Brown bread (Fr. bis).

De conditione operariorum.

Et ibidem tunc provisum est ut magister carpentarius et magister macerius[1] et magister tegulator[2] capiat inde ij d et conredium[3] vel sine conredio iiij d pro omnibus. Minores vero iij ob. cum conredio, vel sine conredio iij d. Coopertores[4] vero ut de iunco vel arundine capiat magister iij ob. cum conredio vel iij d sine conredio, minores autem i d et conredium vel ii d pro omnibus, et ita servetur usque pascha.

The same mss. contain (fol. 85 b) an Assize of Bread which is much more elaborately worked out; it is of the time of Henry II., and differs in several important respects from that in the Statute Book. The range of prices for wheat is different, as this runs from eighteenpence to six shillings a quarter, while the Statute Book gives larger variations, from two to twenty shillings. The order is different, as this runs from a high price and small weight to a low price and large weight, while the Statute Book begins with cheap corn and a large loaf and runs to dearer corn and smaller weights. The two lists agree in the size of the loaf when corn was sold for four shillings and sixpence; it was to weigh 30 shillings, each presumably of twelve pence, and the pennies of twenty to the ounce; but in the earlier assize the loaf was smaller than in the later one, both when corn was as dear as six shillings and when corn was as cheap as two shillings the quarter[5]. The allowance for the baker's servants is larger in the later assize, as the baker was to have three halfpence for three servants instead of four, and a halfpenny instead of a farthing for the two lads.

Hec est assisa de pane faciendo et vendendo que probata est per pistores domini regis Henrici secundi, ita quod pistor poterit sic vendere ut subscriptum est et in quolibet quartinario frumenti lucrari tres d. et brennum exceptis duobus panibus ad fornagium[6]. Et quatuor servientibus tres obolos et duobus garcionibus quadrantem. In sale ob. in gesto[7] ob. in bosco tres d., in candela quadrantem in bŭneter'[8] ob.

Quando quartierium frumenti se vendit pro sex sol.; tunc debet panis esse bonus et albus et ponderare sexdecim sol. de xx^{ti} lorres[9]; et panis de toto blado[10] debet esse bonus ita quod nichil inde subtrahatur et debet ponderare viginti quatuor sol. de xx lorres. Quando quarterium frumenti se vendit pro quinque

[1] The maker of the wattled sides of a house.
[2] The tiler. [3] Allowance of food, rations. [4] The thatcher.
[5] According to the assize in Arnold's *Chronicle*, which is probably of the fifteenth century, the prices of wheat given range from 3*s.* to 20*s.* the quarter. The weights are given in ounces and pennies; if the ounce was 20*d.*, the farthing loaf was to weigh 296 pence when corn was 4*s.*, as against 360 in the time of Henry III.; this looks as if the debasing of the currency was really felt, but it is too doubtful to be the basis of any inference.
[6] The payment to the baker himself.
[7] Yeast. [8] A bolting cloth.
[9] Twenty pence to the ounce; see the patent of 2 R. II. quoted as a note in Record Edition of *Statutes*, I. 200.
[10] Whole meal bread.

solidis et sex denariis tunc debet ponderare viginti sol. et alius panis viginti octo sol. Quando pro quinque solidis tunc debet ponderare viginti quatuor sol. et alius panis xxx^{ta} duos sol. Quando pro quatuor solidis et sex d. tunc debet ponderare triginta sol., et alius quadraginta sol.

Quando pro quatuor solidis tunc debet ponderare triginta sex sol. et alius quadraginta sex sol.

Quando pro tribus solidis et sex denariis, tunc debet ponderare quadraginta duos sol. et alius quinquaginta quatuor sol.

Quando pro tribus solidis tunc debet ponderare quadraginta octo sol. et alius sexaginta quatuor sol.

Quando pro duobus solidis et sex denariis tunc debet ponderare quinquaginta quatuor sol. et alius sexaginta duodecim sol.

Quando pro duobus solidis tunc debet ponderare sexaginta sol. et alius quatuor libras.

Quando pro octodecim denariis tunc debet ponderare sexaginta sex sol. et alius quatuor libras et octi sol.

Et sic deinceps ad plus vendicionis frumenti minor panis et ad minus vendicionis frumenti maior panis.

(Expliciunt leges illustrissimi et invictissimi Henrici Regis secundi filii Matillidis predicte imperatricis.)

Other sorts of bread occasionally mentioned are bread of tret, which I take to be tourta, and to correspond to the bread of sigala, though this grain was rarely grown in England (compare Rogers' *Prices*, I. 174): from the frequent mentions in the *Liber Albus* (I. 259, 265, 338, 704, and especially III. 414 note) it appears to be bread made of coarse flour, but it is not clear how this would differ from bread de omni blado, or de toto blado. In the assize in Arnold's *Chronicle*, where several sorts of loaf are specified, the 'loaf of all manner of grain' is distinctly spoken of as a wheat loaf (p. 56). On the other hand we also hear of mixtilionis, which appears to have been composed of different grains, and of horse bread, which was made of beans (Riley in Glossary to *Liber Albus* sub *payn pur chevaux*).

The various loaves mentioned in this assize then appear to be made of wheat and of wheat only: but the *Judicium pillorie*, which is attributed to the time of Henry III., ordains that the jurors who settle the assize of bread should take account of the price, not merely of wheat but of oats. The *Statutum de pistoribus* too has a special clause *de venditione farine* which refers to the adulteration of oatmeal. It appears that just as the price of wastel bread was given as sufficiently indicating the price of other wheat loaves, so the price of wheat ruled the rate at which rye bread, or any other bread was to be sold. In the face of all the evidence we have that other bread was constantly used for the allowances of servants on estates, it seems impossible to believe that it was never exposed for sale in towns.

The mode of proceeding in attempting to enforce the assize of bread is fully described in the Romney custumary, Lyon, *Dover*, II. 337.

B. MANORIAL RECORDS.

I. SERVICES AND EXTENTS.

THE interesting description of the duties of a *Reeve* has been printed by Dr Liebermann from the ms. in the Library of Corpus Christi College, Cambridge (CCCLXXXIII. f. 102); for the translation and notes I am indebted to the kindness of Professor Skeat. The ms. dates from about 1100, but the document is probably from the early part of the eleventh century; it immediately follows the well-known *Rectitudines*, and throws considerable light on the system of managing estates in England before the Norman Conquest.

The documents which follow serve to illustrate the conditions of rural life at periods from which much fuller information survives. The first is a remarkably detailed survey of the Manor of Borley in Essex; it was taken in the first year of Edward II. and it shows the obligations and position of the villains before the services were commuted for money. At the time when this extent was taken the manor of Borley belonged to the King. Edward I. had procured it, along with other lands and castles, for a sum of 20,000 marcs; it continued to be vested in the Crown till 1346, when King Edward III. granted it to Christchurch, Canterbury, in exchange for all the rights of the convent in the port of Sandwich and Isle of Sheppey (Morant, *Essex*, II. 318). The extent is now transcribed from a book in the British Museum which belonged to Christchurch (Add. mss. 6159), into which it was probably copied at the time when the monastery came into possession of this manor. A translation has been printed by Prof. E. P. Cheyney in the *Annals of the American Academy of Political Science*, vol. IV. p. 275.

Some other extracts are appended as illustrations of the changes which occurred when lands were let at a rent, and the services were commuted for money. The information about Barrington is extracted from an extent which occurs in a book of deeds relating to property there, written in a fifteenth century hand, and now in the muniment room of Trinity College, Cambridge. It shows that before the third year of King Edward III. the services of the villains were all valued, so that they might be actually rendered or else paid in money; they were then commuted for regular rents.

The extract from the Winslow Court Rolls is from the twenty-first year of Edward III., that is before the Black Death, and is interesting as showing that the Abbey endeavoured to maintain the collective responsibility of the tenants for the money payments, just as they had been collectively responsible for services. The other cases occurred after the Black Death. There are two extents of the manor of Rustington, Sussex, in a fifteenth century hand in a ms. (O. I. 25) in the Trinity College Library at Cambridge: one of these was made in the third year of Edward III., and the other in the eighth year of Edward IV. They

illustrate very clearly the change which was going on at this time. From another document in the same book it appears that a considerable alteration occurred in the forty-second year of Edward III., and there were farther changes in the twenty-first of Richard II., as we learn from the body of the later extent. One or other of these is probably the event which is referred to by a clerical error in the extract as occurring in the twentieth year of Edward III.

For the example of a stock and land lease I am indebted to the kindness of the Rev. W. Hunt. It has been already printed by Mr Archbold in his *Somerset Religious Houses*, p. 355, along with much valuable information on the condition of the monasteries and their property. It affords an illustration of a type of contract which has long ceased to be familiar; this lease was made by the Prior of Bath Abbey in 29 and 30 Henry VIII., just before the dissolution of the monasteries, and it serves to show that this method of letting land survived till a much later date than is generally supposed.

A considerable number of documents similar to the specimens here given have been printed at different times, and may be found in County Histories and other publications. The excellent *Classified List of Printed Original Materials for English Manorial and Agrarian History*, by Miss F. G. Davenport (Radcliffe College Monographs), forms an invaluable guide to the available sources of information.

1. Be gesceadwisan gerefan.

[1] Se scadwis gerefa sceal ægðær witan ge hlafordes landriht ge folces gerihtu, be ðam ðe hit of ealddagum witan gerædan, *and* ælcre tilðan timan ðe to tune belimpð; for ðam on manegum landum tilð bið redre ðonne on oðrum: ge yrðe tima hrædra, ge mæda rædran, ge winterdún eac swa, ge gehwilc oðer tilð.

[2] Hede se ðe scire healde þæt he friðige *and* forðige ælce be ðam ðe hit selest sy; *and* be ðam he eac mot ðe hine weder wisað. He sceal snotorlice smeagean *and* georne ðurhsmugan ealle ða ðing ðe hlaforde magan to ræde.

[3] Gyf he wel aginnan wile, ne mæig he sleac beon ne to oferhydig; ac he mot ægðer witan ge læsse ge mare, ge betere ge mætre ðæs ðe to tune belimpð, ge on tune ge on dune, ge on wuda ge on wætere, ge on felda ge on falde, ge inne ge ute; for ðam to soðe ic secge, oferhogie he oððe forgyme ða ðing to beganne *and* to bewitanne, ðe to scipene oððe to odene belimpað, sona hit wyrð on berne þæt to ðam belimpað.

[4] Ac ic lære þæt he do swa ic ær cwæð: gyme ægðer ge ðæs selran ge þæs sæmran, þæt naðor ne misfare, gyf he wealdan mæge, ne corn ne sceaf, ne flæsc ne flotsmeru, ne cyse ne cyslyb, ne nan ðera ðinga ða æfra to note mæge.

[5] Swa sceal god scyrman his hlafordes healdan, do ymbe his agen swa swa he wylle. A swa he gecneordra swa bið he weorðra, gyf he wið witan hafoð his wisan gemæne.

[6] Symle he sceal his hyrmen scyrpan mid manunge to hlafordes neode *and* him eac leanian be ðam ðe hy earnian.

[7] Ne læte he næfre his hyrmen hyne oferwealdan, ac wille he ælcne mid hlafordes creafte *and* mid folcrihte. Selre him his æfre of folgoðe ðonne on, gyf hine magan wyldan ða ðe he scolde wealdan. Ne bið hit hlaforde ræd þæt he þæt ðafige.

[8] Æfre he mæig findan on ðam he mæig nyt beon *and* ða nytte don ðe him fylstan scylan; huru is mæst neod þæt he asece, hu he yrde mæge fyrme geforðian ðonne ðæs tima sy.

[9] Me mæig in Maio *and* Junio *and* Julio on sumera fealgian, myxendincgan ut dragan, lochyrdla tilian, sceap scyran, bytlian, bote atan tynan, tymbrian, wudian, weodian, faldian, fisewer *and* mylne macian;

[10] on hærfeste ripan, in Agusto *and* Septembri *and* Octobri mawan, wad spittan, fela tilða ham gæderian, ðacian, ðecgan *and* fald weoxian, scipena behweorfan *and* hlosan eac swa, ær to tune to stið winter cume, *and* eac yrðe georne forðian;

[11] on wintra erian *and* in miclum gefyrstum timber cleofan, orceard ræran *and* mænige inweorc wyrcean, ðerhsan, wudu cleofan, hryðer anstyllan, swyn stigian, on odene cylne macian—ofn *and* aste *and* fela ðinga sceal to tune—ge eac henna hrost;

[12] on længtene eregian *and* impian, beana sawan, wingeard settan, dician, deorhege hcawan *and* raðe æfter ðam, gif hit mot gewiderian, mederan settan, linsed sawan, wadsæd eac swa, wyrtun plantian *and* fela ðinga ic eal geteallan ne mæig, þæt god scirman byegan sceal.

[13] A he mæig findan hwæt he mæig on byrig betan; ne ðearf he na unnyt beon ðonne he ðær binnan bið: oððe hus godian, rihtan *and* weoxian *and* grep hegian, diesceard betan, hegas godian, weod wyrtwalian, betweox husan bricgian, beoddian, bencian, hors anstyllan, flor feormian oððe synnes sum ðing ðe to nyte mæge.

[14] He sceal fela tola to tune tilian *and* fela andlomena to husan habban:

[15] Æese, adsan, bil, byrse, scafan, sage, cimbiren, tigehoc, næfebor, mattuc, ipping-iren, scear, cultur *and* eac gadiren, siðe, sicol, weodhoc, spade, scofle, wadspitel, bærwan, besman, bytel, race, geafle, hlædre, horscamb *and* sceara, fyrtange, wæipundern; *and* fela towtola: flexlinan, spinle, reol, gearnwindan, stodlan, lorgas, presse, pihten, timplean, wifte, wefle, wulcamb, cip, amb, crancstæf, sceaðele, seamsticcan, scearra, nædle, slic.

[16] And gif he smeawyrhtan hæfð, ðam he sceal to tolan fylstan. Mylewerde, sutere, leodgotan *and* oðran wyrhtan ælc weorc sylf wisað hwæt him to gebyreð; nis ænig man þæt atellan mæge ða tol ealle ðe man habban sceal.

[17] Man sceal habban wængewædu, sulhgesidu, egeðgetigu *and* fela ðinga ðe ic nu genæmnian ne can, ge eac mete, áwel *and* to odene fligel *and* andlamena fela: hwer, lead, cytel, hlædel, pannan, crocca, brandiren, dixas, stelmelas, cyfa, cyflas, cyrne, cysfæt, ceodan, wilian, windlas, systras, syfa, sædleap, hriddel,

hersyfe, tæmespilan, fanna, trogas, æscena, hyfa, hunigbinna, beorbydene, bæðfæt, beodas, butas, bleda, melas, cuppan, seohhan, candelstafas, sealtfæt, sticfodder, piperhorn, cyste, mydercan, bearmteage, hlydan, sceamelas, stolas, læflas, leohtfæt, blacern, cyllan, sapbox, camb, yrsebinne, fodderhec, fyrgebeorh, meluhudern, ælhyde, ofnrace, mexscofle.

[18] Hit is earfoðe eall to gesecganne þæt se beðencan sceal ðe scire healt; ne sceolde he nan ðing forgyman ðe æfre to note mehte: ne forða musfellan ne, þæt git læsse is, to hæpsan pinn; fela sceal to holdan hames gerefan *and* to gemetfæstan manna hyrde.

[19] Ic gecende be ðam ðe ic cuðe; se ðe bet cunne gecyðe his mare.

(1) The sagacious reeve ought to know both the lord's land-right and the folk-rights, even as the counsellors of olden days have determined; and the season of every crop that pertains to a homestead; since, in many districts, the farm-work is earlier than in others; that is, ploughing-time is earlier, the season for mowing is earlier, and so likewise is the winter-pasturing, and every other kind of husbandry.

(2) Let him who holds such office take heed that he guard and further every work according as is best for it; and he must act with regard to it as the weather directs him. He ought prudently to consider and diligently to look into[1] all the things that may be for his lord's advantage.

(3) If he wants to begin well, he must not be too lax nor too overweening, but he must know both the less and the more, both the greater and the less important matters that concern a homestead, both in the farm-yard and on the down, both in wood and in water, both in field and fold, both indoors and out. For I tell you of a truth, if he be too proud or negligent to undertake and attend to the things which belong to cattle-stall or threshing-floor, the result, in so far as it depends on such matters, will soon shew itself in the barn[2].

(4) But I advise that he do as I said before. Let him pay attention to things great and small, so that neither go wrong as far as he can control it; neither corn nor sheaf, nor flesh nor cream[3], nor cheese nor rennet[4], nor any of the things that can ever be of use.

(5) So should a good reeve keep his lord's goods; let him do what he will with his own. Ever, as he becomes more diligent, will he be more valued, if he observes a course like that of a wise man.

[1] Lit. 'to creep into'; but *ðurhsmūgan* was used (like the Icel. *smjūga*), with the particular sense of putting the head through the neck-hole of a smock-like garment; see Skeat, Etym. Dict., s.v. *smock*. Hence the sense of 'peer into,' 'look into,' or 'investigate.'

[2] Perhaps a proverbial phrase.

[3] Here 'flesh' means what we now call 'meat.' *Flotsmeru* is obviously 'cream,' though poorly translated hitherto by 'floating-fat.' However, the Icel. *smjor* is the usual word for 'butter'; and 'float-butter' is obviously 'cream.'

[4] Prov. Eng. *cheeselope*.

(6) He should ever stimulate his servants by an admonition (to observe) their lord's desire; and moreover should pay them according to what they deserve.

(7) He should never let his servants get the upper hand of him, but let him wish (to direct) each one, with a lord's authority and according to folk-right. Far better were it for him to be always out of office rather than in it, if they whom he should rule come to rule him. It will not be prudent for his lord to permit this.

(8) He can ever be finding out something to be useful in, and be thinking of useful things to assist him. However, it is most desirable for him to search out how he may promote the estate by farming[1], when the right time for it comes round.

(9) In May and June and July, in summer, one may harrow, carry out manure, set up sheep-hurdles, shear sheep, build up[2], repair, hedge[3], build with timber, cut wood, weed, make folds, and construct a fish-weir and a mill.

(10) In harvest one may reap, in August and September and October one may mow, set woad with a dibble[4], gather home many crops, thatch them and cover them over, and cleanse[5] the folds, prepare cattle-sheds and also shelters[6], ere too severe a winter come to the farm; and also diligently prepare the soil.

(11) In winter, one should plough, and in severe frosts cleave timber, make an orchard, and do many affairs indoors; thresh, cleave wood, put the cattle in stalls and the swine in pig-sties, set up a stove on the threshing-floor—for an oven and a kiln[7] and many things are necessary on a farm—and moreover (provide) a hen-roost.

(12) In spring one should plough and graft, sow beans, set a vine-yard, make ditches, hew wood for a wild-deer-fence; and soon after that, if the weather permit, set madder, sow linseed (i.e. flaxseed) and also woad-seed, plant a garden, and (do) many things which I cannot fully enumerate, that a good steward ought to provide.

(13) He can always find something on the manor to improve; he need not be idle, when he is in it; he can keep the house in order, set it to rights and clean it; and set hedges along the drains[8], mend the breaches in the dikes, repair the hedges, root up weeds, lay planks between the houses, make tables and benches, provide horse-stalls, scour the floor; or let him think of[9] something that may be useful.

[1] I here venture to translate *fyrme* literally.

[2] I alter the punctuation, to give some sense; the passage is certainly corrupt, but the emendation *botettan* (for *bote atan*) is almost certain.

[3] Omitting *atan*; see note 2. [4] See sect. 15, for *wādspitel*.

[5] Zupitza suggests that this is cognate with G. *wischen*; see also Swed. *viska*, to wipe over with a brush.

[6] A guess; supposed to be allied to *hlēow*. [7] Lit. an oast-house.

[8] Liebermann translates *grep* by Ger. *kaninchen*. However, the Epinal gloss has: "Scrobibus, *groepum* (=*grēpum*)." The reference is obviously to the setting of hedges with trenches below them, in the ordinary way.

[9] *synnes* is obviously wrong, but the final *s* was due to the *s* in *sum*. Read *synne*=*sinne*, let him think of. It should govern a genitive.

(14) He should provide many tools for the homestead, and get many implements for the buildings: (as, for instance)—

(15) An axe, adze, bill, awl, plane, saw, chimbe-iron[1], tie-hook[2], auger, mattock, prise[3], share, coulter; and also a goad-iron, scythe, sickle, weed-hook, spade, shovel, woad-dibble, barrow, besom, beetle, rake, fork, ladder, horse-comb and shears, fire-tongs, weighing-scales, and many spinning-implements, (such as): flax-threads[4], spindle, reel, yarn-winder, stoddle[5], weaver's beams, press, comb, carding-tool[6], weft, woof[7], wool-comb, roller[8], slay[9] (?), winder with a bent handle, shuttle, seam-pegs[10], shears, needle, slick-stone[11].

(16) And if he has skilled workmen, he should provide them with tools. As for the mill-wright, shoe-maker, plumber, and other artisans, each work itself shews what is necessary for each; there is no man that can enumerate all the tools that one ought to have.

(17) One ought to have coverings for wains, ploughing-gear, harrowing-tackle, and many things that I cannot now name; as well as a measure, an awl, and a flail for the threshing-floor, and many implements besides; as, a caldron, leaden vessel, kettle, ladle, pan, crock, fire-dog, dishes, bowls with handles, tubs, buckets, a churn, cheese-vat, bags, baskets, crates, bushels, sieves, seed-basket, wire-sieve, hair-sieve, winnowing-fans, troughs, ash-wood-pails, hives, honey-bins, beer-barrels, bathing-tub, bowls, butts, dishes, vessels, cups, strainers[12], candle-sticks, salt-cellar, spoon-case, pepper-horn, chest, money-box, yeast-box, seats[13] (?), foot-stools, chairs, basins[14], lamp, lantern, leathern bottles, box for resin [*or* soap?], comb, iron bin, rack for fodder, fire-guard, meal-ark[15], oil-flask[16], oven-rake, dung-shovel.

(18) It is toilsome to recount all that he who holds this office ought to think of; he ought never to neglect anything that may prove useful, not even a mouse-trap, nor even, what is less, a peg for a hasp. Many things are needful for a faithful reeve of a household and for a temperate guardian of men.

[1] Prov. Eng. *chimbe*, the prominent part of the staves beyond the rim of a barrel. A *chimbe-iron* was probably a sort of spokeshave, to make the stave-ends even.

[2] I do not see how a 'tie-hook' can mean a vice, as suggested. I take it to be a hook such as is used for twisting hay-bands.

[3] Prov. E. *prise*, a lever for opening a box; the A. S. word means 'opening-iron.'

[4] Translated by Ger. *flachswinde*, without authority; the A. S. *line* (pl. *līnan*) means 'a line.'

[5] Palsgrave has: 'Stodyll, a toole for a wever'; sense unknown.

[6] Perhaps allied to prov. E. *to tum*, to card wool for the first time.

[7] 'Cladica, *weft* vel *oweb*'; Gloss. 13. 23; and *oweb*=woof.

[8] '*Kip-tree*, the horizontal roller of a draw-well'; Halliwell.

[9] See Bosworth.

[10] i.e. pegs to hold a thing for sewing.

[11] See Halliwell.

[12] See Toller; from *sēon*, to strain.

[13] If=*hlīda*.

[14] Lat. *labella*.

[15] Hardly a meal-*house*, but rather a meal-ark or box, called a meal-house as being a place where it is stored.

[16] I take *æl* in the sense of 'oil,' not 'eel.'

(19) I have declared all as well as I could; let him who knows better declare more than this.

2. Extenta Manerii de Borle.

¶ Extenta Manerii de Borlee facta ibidem die martis proxima post festum sancti Matthæi Apostoli Anno domini MCCCVIII regno Regis Edwardi filii Regis Edwardi primo, coram Johannem le Doo Seneschallo per manus Willielmi de ffolesham clerici per sacramentum Philippi le Reve de Borlee, Henrici Lamberti, Dionisii Rauf, Ricardi atte Mere, Walteri Johan et Roberti Ernald tenentes domini in predicta villa de Borlegh,

¶ Mesuagium. Qui omnes jurati dicunt quod est ibidem unum mesuagium bene et rationabiliter edificatum et sufficit pro exitibus manerii et continet in se infra situm manerii quatuor acras per estimationem. Et valet herbagium inde per annum per estimationem ij s. ¶ Et

¶ Curtilagium. curtilagium inde valet per annum xij d. aliquando plus et ali-

¶ Gardinum. quando minus secundum quod appreciatur. Et gardinum inde valet per annum ut in pomis et uvis vinearum cum acciderint v s. et aliquando plus. ¶ Summa viij s.

¶ Advocatio Ecclesiarum. ¶ Et sciendum quod dominus est verus patronus ecclesie de Borlee, et valet dicta ecclesia ut in Bladis oblatis subventionibus et aliis minutis decimis per annum secundum taxationem x libras.

Molendinum cum piscario. ¶ Et ibidem unum molendinum aquaticum in manerio, et valet per annum ad dimittendum ad firmam lx s. Et piscarium in stagno[1] valet per annum per estimationem cum avalatione Anguillarum de gurgitibus xij d. ¶ Summa lxi s.

¶ Boscus. ¶ Est ibidem unus boscus vocatus le Hoo et continet in se x acras, et valet herbagium inde per annum v s. Et suboscus inde valet per annum, et hoc sine wasto, v s. Et pannagium[2] inde valet per annum xii d. Et ibidem quidam alius boscus vocatus Chalvecroft' et continet in se v acras cum fossatis. Et valet herbagium inde per annum ij s. vi d. Et suboscus inde valet per annum iij s. Et pannagium valet inde per annum vi d.

¶ Summa valoris xvij s.

¶ Terre in dominico. ¶ Sunt ibidem de terra arabili in dominico in diversis campis ccc acre terre per minus centum. Et valet per annum ad dimittendum, xv li. precium acre xij d.

¶ Summa acrarum ccc.

¶ Summa valoris xv li.

¶ Et sciendum quod pertica terre in isto manerio continet xvi pedes et dimidium ad terram mensurandam. Et quelibet acra potest congrue seminari de ii bussellis et dimidio frumenti, de duobus bussellis et dimidio siliginis, de ii bussellis et dimidio pisorum, de iij bussellis avene, et hoc annulatim et de iiij^{or}

[1] Weir or milldam.
[2] Payment for permission to feed swine in the lord's wood.

bussellis ordei *per* mensuram rasam[1]. Et quel*ibet* caruca debet jungi de iiij^{or} bob*us* et iiij^{or} affr*is*. Et caruca potest *commun*iter arrare *per* diem unam acram terre et aliqu*ando* plus.

¶ Sunt ibid*em* de prato falcabili in div*er*sis locis xxix acre et i roda. Et valent *per* annum vij li. vi s. et iij d. *precium* acre v s. ¶ Pratum falcabile.

¶ Summa acrar*um* xxix acre, i rod*a*.

¶ Summa den*ariorum* vij li. vi s. iij d.

¶ Sunt ibidem de pastura sep*ar*abili xxviij acre et valent *per* annum xlii s. p*recium* acre xviij d. de quib*us* xvi acre assign*antur* vacc*is* pro daeria. Et xii bobus et stott*is*. ¶ Summa xlii s. ¶ Pastura separabilis.

¶ Sciend*um* quod *dom*inus potest h*ab*ere in commuua pasture (*sic*) de Borlee *cum* esiam*en*to ffriscor*um* et dominicor*um* d*omi*ni tempore ap*er*to[2] C bidentes p*er* maius centum[3]. ¶ Pastura communis.

Et valet pastur*a* cujuslibet capitis *per* annum ij d. et non plus *propt*er resumptionem cibi Berkar'. ¶ Summa xx s.

¶ Est ibidem quedam cur*ia* de libere tenentib*us* *dom*ini et custumar*iis* de iii septim*anis* in iij septim*anas*. Et valent fines et p*er*quis*ite* inde *per* annum cum visu franci pleg*ii* xx s. ¶ ffines et perquisite curie et Lete.

¶ Summa patet.

¶ Will*ielm*us filius Rad*ulph*i Miles tenet de d*omino* xviij acr*as* redd*endo* inde *per* annum ad pascha xviij d. ad fest*um* *Sancti* Mich*aelis* xviij d. ¶ Libere tenentes.

¶ Henr*icus* de Lathcleye tenet de d*omino* l acr*as* terre redd*endo* inde *per* annum ad Pascha xxi d. et ad fest*um* *Sancti* Mich*aelis* xxi d. Et debet sect*am* cur*ie*.

¶ Joh*ann*es de Lystone tenet de *dom*ino in Borlee xl acr*as* terre et iiij acr*as* prati reddend*o* inde p*er* annum ad fest*um* *Sancti* Mich*aelis* vj d. p*ro* omnib*us* servic*iis*.

¶ Will*ielm*us Joye tenet de d*omino* unum mesuag*ium* et xx acr*as* terre et ii acr*as* prati et d*imidiam* acr*am* pasture, redd*endo* inde *per* annum ad festum *Sancti* Mich*aelis* xij d. Et debet sectam cur*ie*.

¶ Hugo atte ffen tenet de d*omino* vi acr*as* terre et d*imidiam* acr*am* prati et i rod*am* pasture, redd*endo* inde *per* annum ad *predictos* duos *termin*os ij sol. ix d. Et debet sect*am* cur*ie*.

¶ Reginaldus Crummelond tenet de d*omino* xii acr*as* terre redd*endo* inde p*er* annum x s. et debet sectam cur*ie*.

¶ Will*ielm*us le Yacther' tenet de d*omino* in d*omin*ico et servitio ij acr*as* terre et d*imidiam* acr*am* prati, redd*endo* inde *per* annum ad Pascha et ad festum *sancti* Mich*aelis* *per* equales portiones vij d. Et debet sectam cur*ie*.

¶ Tenentes terræ Simonis Aunsel videl*icet*.

[1] Corn was either heaped in the bushel, or straked so as to fill the measure and no more; this latter was *mensura rasa*. When the bushel was heaped (*cumulata*) an allowance was made *pro cumulo* in keeping the reckoning; see below, p. 602.

[2] When the temporary fencing was removed and all the fields lay open.

[3] He might pasture 100 sheep, by the greater hundred, i.e. 120.

Molinen[1]. ¶ Johannes Aunsel tenet unum cotagium et unam rodam terre. ¶ Rogerus atte Remete iiij^{or} acras et iii rodas terre, Ricardus Gakoun ij acras terre. ¶ Willielmus Oslock' i acram terre. ¶ Augustus le Clerk' ij acras et dimidiam terre. ¶ Walterus Morel iij acras terre. ¶ Dionisius Raufus i rodam prati. Et reddunt inde per annum videlicet ad Pascha ix d., et ad festum Sancti Michaelis ix d. Et ad purificationem de Unthiel ij s. ij d. ob. q. Et ad Natale domini unam gallinam precii i d. ob. Et invenient ii homines metentes ad unum Bedrepe[2] in autumpno pro voluntate domini ad cibum domini ut patet inferius. Precium cujuslibet operis ij d. Et facient sectam curie.

¶ Willielmus Oslock tenet de domino i mesuagium et xx acras terre et i rodam prati, Reddendo inde per annum ad predictos ij terminos iiij s. Et de Unthield ad purificationem Beate Marie ij s. ij d. ob. q^{a}. Et ad Natale domini i gallinam precii i d. ob. Et metet in autumpno ad unum Bedrepe per duos homines ad cibum domini ut supra. Et debet merchet. Et facit sectam curie.

¶ Summa redditus assise de termino Sancti Michaelis liberе tenentium ix s. viii d.

¶ Item v s.

¶ Summa termini purificationis de Unthield per annum iiij s. v d. ob.

¶ Summa redditus termini pasche viij s. ij d.

¶ Item v s.

¶ Summa Gallinarum de termino Natalis domini iij d.

Custumarii. ¶ Walterus Johan tenet de domino in villenagio unum mesuagium et x acras terre Reddendo inde per annum ad festum Purificationis Beate Marie de Hunthield iiij s. v d. ob. Et ad Pascha xx d. ob. Et ad festum Sancti Michaelis xxi d. ob. Et ad festum Natalis domini i gallinam et dimidiam precii galline i d. ob. Et a festo Sancti Michaelis usque ad festum Sancti Petri ad Vincula qualibet septimana tria opera per unum hominem sine cibo domini precium operis ob. Exceptis iiibus septimanis, videlicet septimana Natalis Domini, Pasche, et septimana Pentecostes in quibus non operabunt, nisi indigeat de necessitate pro blado in autumpno ligando, et fenis[3] levandis. Et arabit cum caruca sua, sive iungat sive non iiii^{or} acras terre domini sine cibo domini precium cuiuslibet acre v d. q^{a}, unde ii acras tempore seisone frumenti[4] et ii acras ad avenam. Et cariabit fima[5] domini in manerio cum equo et caretta sua ad cibum domini, videlicet quolibet die i panem et dimidiam siliginis unde de quarterio debent fieri xl panes. Et sarclare bladum[6] domini quamdiu fuerint sarclandum et allocabitur

[1] Men holding in villainage but paying money rent, with light services. Vinogradoff, *Eng. Hist. Rev.* I. 734. Round, Ibid. II. 103.
[2] Reaping done at the lord's bidding. [3] Hay.
[4] Time for sowing wheat (autumn). [5] Manure. [6] To weed the corn.

in operibus suis. Et debet falcare[1] prata domini videlicet i acram et tertiam partem unius acre per mensuram ydoneam. Et allocabitur in operibus suis, videlicet pro qualibet acra iij opera.

¶ Et sciendum quod quandocunque ipse simul cum aliis custumariis ville falcaverint pratum de Rainholm, habebunt ex consuetudine iii bussellos frumenti ad panem et unum Hurtardum[2] precii xviij d., et i lagenam butyri et unum caseum ex daeria domini post meliorem, et sal et farinam avene pro patagio suo et totum lac matutinale de omnibus vaccis totius Daerie ad ipsum tempus. Et sparget, levabit et cumulabit predictam acram et dimidium feni et cariabit ad manerium et allocabitur in operibus suis. Et habebit pro quolibet opere falcationis tantum de herbagio viridi cum falcauerit, quantum poterit levare super punctum falcis sue. Et cum cariaverit dictum fenum habebit in fine dicti cariagii de feno plenum corpus carette sue. Et metet in autumpno a festo Sancti Petri ad Vincula usque ad festum Sancti Michaelis per totum autumpnum xxiiij opera sine cybo domini precium operis i d. Et cariabit bladum domini et tassabit et allocabitur in operibus suis. Et habebit quotiens cariaverit i garbam vocatam meneschef[3], et averabit cum equo suo xii leucas circa manerium ad pondus duorum bussellorum salis, vel iii bussellorum frumenti, siliginis et pisorum et fabarum. Et de avena iiij bus. avene. Et debet querere predictum bladum ad granarium domini cum predicto equo et sacco proprio. Et habebit quotiens averaverit de avena quantum potest ter in manu sua palmare et levare poterit. Et si non averaverit nihil dabit set allocabitur pro quolibet (*sic*) avera i opus precium ob. Et dabit auxilium et faciet sectam curie. Et dabit merchetum pro filia sua maritanda ad voluntatem domini.

¶ Idem Walterus tenet i toftum qui continet ij acras terre. Et faciet a festo Trinitatis usque ad Gulam Augusti[4] qualibet septimana ij opera precium operis ob. Et pro dimidio tofto qualibet septimana per idem tempus i opus precium ut supra. Et a Gula Augusti usque festum Sancti Michaelis qualibet septimana i opus et dimidium sine cibo domini precium operis i d. Et habebit j garbam vocatam Tofschef[5] quantum poterit ligare in quodam ligamine metato et non abradicato[6], neque cum radicibus ne terra extracto.

¶ Ricardus atte Mere tenet de Domino in villenagio xx acras terre reddendo inde per annum de Unthield ad festum purificationis iiij s. v d. ob. et ad pascha xvi d. Et ad festum Sancti Michaelis xvij d., et ad Natale domini i gallinam precii ut supra. Et operabit a festo Sancti Michaelis usque ad festum Sancti Petri ad vincula qualibet septimana ut Walterus Johan.

[1] To mow. [2] A ram.
[3] Men's sheaf, which two reapers received while at work, Scrope, *Castle Combe*, 50. [4] August 1. Lammas Day.
[5] Possibly the sheaf received by the holder of a toft who worked in harvest; Spelman gives *tofman*, the owner of a toft.
[6] Stubble was much valued, and in reaping a great deal of straw was left.

Et arrabit, cariabit fimum, sarclabit bladum, falcabit pratum, sparget, cumulabit et ad Manerium cariabit, metet in autumpno, averabit et faciet omnia alia servicia ut predictus Walterus Johan. Et dabit auxilium et merchet et faciet sectam curie.

¶ Idem Ricardus tenet unum toftum. Et facit a festo Trinitatis usque ad Gulam Augusti qualibet septimana ij opera precium ut supra. Et a festo Gule Augusti usque festum sancti Michaelis qualibet septimana i opus sine cibo domini precium j d.

¶ Robertus Ernald tenet de domino in villenagio xx acras terre reddendo inde et faciendo omnia servicia et consuetudines in omnibus sicut dictus Ricardus atte Mere. Et dabit auxilia et merchet et faciet sectam curie. Et tenet i toftum de domino et facit in omnibus et singulis sicut predictus Ricardus atte Mere.

¶ Matilda Davy tenet de domino in villenagio xx acras terre reddendo inde et faciendo in omnibus sicut dictus Ricardus atte Mere. Et etiam pro tofto suo sicut dictus Ricardus. Et dabit auxilia et faciet merchet et sectam curie.

¶ Philippus le Reve tenet de domino in villenagio x acras terre reddens inde per annum ad purificationem beate Marie de Unthield ij s. ii d. ob. q. Et ad Pascha viij d. Et ad festum Sancti Michaelis viij d. Et ad Natale domini i gallinam precii i d. Et arrabit, cariabit fimos, sarclabit bladum, falcabit prata, sparget, cumulabit. Et faciet omnia alia servicia medietate ut terra predicti Ricardi atte Mere. Et dabit merchet et faciet sectam curie.

¶ Idem Philippus tenet unum toftum et facit pro eo omnia servicia ut predictus Ricardus atte Mere et sectam curie.

¶ Dionisius Rolfus tenet de domino in villenagio x acras terre reddendo inde et faciendo in redditu et omnibus aliis serviciis ut predictus Ricardus atte Mere. Et pro uno tofto quod tenet faciet in omnibus sicut idem Ricardus. Et idem Dionisius tenet unam acram terre reddendo inde per annum xii d. ad festum pasche et sancti Michaelis per equales porciones.

¶ Petrus ad crucem tenet de domino in villenagio x acras terre. Reddendo inde et faciendo redditum et alias consuetudines et servicia ut predictus philippus le Reve. Et pro uno tofto quod tenet facit in omnibus sicut idem Philippus et facit sectam curie.

¶ Edmund Nel tenet de domino in villenagio x acras terre reddendo inde per annum et faciendo omnia servicia ut predictus philippus. ¶ Idem Edmund tenet dimidium toftum et facit in omnibus omnia servicia medietatem ut toftum predicti philippi.

¶ Walterus de Lynton' tenet de domino in villenagio x acras terre Reddendo inde et faciendo omnia servicia et consuetudines ut predictus Philippus le Reve.

¶ Idem Walterus tenet de domino dimidium toftum et facit in omnibus sicut predictus Edmund Neel.

¶ Aschelot le Yonge tenet de *domino* in villen*agio* x acr*as* terre et di*midium* toftum et fac*it* in omnib*us* ut *predictus* Wal*terus* de Lynton'.

¶ Henricus Lamberd tenet de *domino* x acr*as* terre et di*midium* toftum. Et fac*it* in omnib*us* et sing*ulis* sicut Walterus de Lynton'. Et insup*er* *pro* quadam strata vocata Rapstrete ij d. per annum.

¶ Joh*annes* Rolf tenet de *domino* x acr*as* terre et di*midium* toft*um*. Et fac*it* in *omnibus* servic*iis* sicut *dictus* Walt*erus*. Et *pro* qu*a*dam Rapstrete ii d. *per* annum.

¶ Joh*anna* Gille, Will*ielmus* Gille et Petr*us* Gille tenent x acr*as* et di*midium* toftum, et faci*unt* in omnibus servic*iis* sicut *dictus* Walt*erus* de Lynton'.

¶ Agn*es* Selone tenet de *domino* x acr*as* terre et di*midium* toft*um*. Et fac*it* in *omnibus* servic*iis* et cons*uetudinibus* sicut *dictus* Walterus.

¶ Thomas de Reculver cl*ericus* tenet de *domino* qu*amdam* terram vocat*am* Stanegroundeslond qu*e* *con*tinet x acr*as* terre et di*midium* toft*um*. Et fac*it* omnia alia *servicia* et consuetudines in omnib*us* servic*iis* sicut dictus Walt*erus* de Lyntone.

¶ Will*ielmus* Wareng*us* et Matilda Wareng*us* tenent de *domino* in villen*agio* v acr*as* terre. Et redd*unt* in*de* *per* ann*um* ad *festum* pur*ificationis* beat*e* Mar*ie* de Unthield xiij d. ob. Ad pascha iiij d. Ad fest*um* *sancti* Mich*aelis* iiij d. q. Et ad Nat*ale* *domini* j gall*inam* *precii* ut sup*ra*. Et fac*it* in omnibus aliis servic*iis* et cons*uetudinibus* medi*etatem* ut terra Ph*ilippi* le Reve.

¶ Idem Will*ielmus* et Matilda tenent unum toftum et faci*unt* in omnibus sicut *predictus* Ph*ilippus*.

¶ Idem Will*ielmus* ten*et* v acr*as* *terre* *per* se. Et fac*it* in omnibus *servic*iis et consuet*udinibus* med*ietatem* ut *predictus* ph*ilippus*. Et *pro* *quarta* parte uni*us* tofti q*uod* tenet, facit quarta*m* p*artem* sicut et alii solvunt *pro* tanto ten*emento*.

¶ Idem Will*ielmus* debet pro Warengerestrete ij d. *per* annum ad *termin*os *prescr*iptos.

¶ Will*ielmus* Faber tenet de *domino* vi acr*as* *terre* *pro* ferramento carucar*um* *domini* de *pro*prio ferro eiusd*em* *domini* fabricando. Et redd*it* de Unthield xii d. ob. q.

¶ Dionis*ius* State tenet de *domino* *in* villenag*io* v acr*as* terre, et quartam partem unius tofti, Redd*endo* et faciendo *in* omnib*us* et singulis *per* annum sicut *dictus* Will*ielmus* Wareng*us* *pro* v acr*is* terre et q*uarta* parte uni*us* tofti sui.

¶ Nich*olaus* Hervy tenet de *domino* *in* villen*agio* v acr*as* et iiij^{tam} p*artem* j tofti, redd*endo* et faci*endo* in *omnibus* *per* annum sicut *dictus* W. Wareng*us* *pro* tanta *terra*.

¶ Will*ielmus* Selone tenet de *domino* in vill*enagio* v acr*as* terre et iiij^{tam} part*em* j tofti, Redd*endo* in*de* et faci*endo* in omnibus per annum sicut *dictus* W. Wareng*us* pro tanta *terra*.

¶ Margeria Simondes tenet de domino v acras terre, reddendo inde et faciendo in omnibus sicut dictus Willielmus pro tanta terra.

¶ Walterus Arnewy tenet de domino in villenagio v acras terre reddendo inde et faciendo omnia servicia sicut predicta Margeria.

¶ Mabillia atte Mere tenet de domino v acras terre, Reddendo et faciendo in omnibus et singulis sicut predicta Margeria.

¶ Mabillia Nicole tenet de domino v acras terre, reddendo et faciendo in omnibus et singulis sicut predicta Margeria.

¶ Iidem Walterus Mabillia atte Mere et Mabillia Nicole tenent unum toftum reddendo inde et faciendo servicia sicut Philippus le Reve pro tofto suo.

Cotemen. ¶ Radulfus Denys tenet de domino unum toftum reddendo inde per annum in omnibus sicut dictus Philippus le Reve. Et propter hoc debet aperire sulcos aquaticos in yeme super terram domini, tempore seisone frumenti. Et debet spargere fima domini quamdiu fuerint spargenda qualibet seisona anni. Et si non aperierit neque fima sparserit nichil dabit.

¶ Mabillia de Alfetone et Gundreda soror eius tenent de domino j toftum et faciunt in omnibus sicut predictus Radulphus Dynis.

¶ Willielmus Nenour tenet de domino j cotagium et facit qualibet septimana operabili j opus die lune precium ob. videlicet a festo sancti Michaelis usque festum sancti Petri ad vincula et a festo Sancti Petri ad Vincula usque ad festum Sancti Michaelis qualibet septimana j opus precio operis j d.

¶ Walterus Selone tenet de domino j cotagium et facit in omnibus sicut Walterus Nenour.

Notandum. ¶ Et sciendum quod si predicti W. Nenour et Walterus Solone tritutaverint bladum in Grangia domini habebunt de domino de foragio quantum poterunt simul et semel cum uno rastro in area dicte Grangie congregare. Et sic de feno cum in prato domini eum congregaverint. Et hoc a tempore quo non extat memoria, ut dicitur.

Notandum. ¶ Sciendum quod omnes custumarii supradicti debent metere in autumpno per unum diem ad unum Bedrepe de frumento. Et habebunt inter eos vj bussellos frumenti ad panem suum in manerio furnitum et potagium et carnem videlicet duo homines i ferculum carnis bovine et caseum et cervisiam ad bibendum. Et predicti custumarii operabunt in autumpno ad duas precarias avene. Et habebunt vi bussellos siliginis ad panem suum ut predictum est. Potagium ut prius, et alleces[1] videlicet quilibet duo homines vi alleces et caseum ut prius et aquam ad bibendum.

[1] Herrings.

Summa redditus assise custumarii de termino Sancti Michaelis per annum xviii s. xi d. ob. q. ¶ De termino Michaelis.

Summa redditus de Unthield de termino purificationis lv s. vii d. ¶ Purificationis.

Summa redditus de termino Pasche. xvii s. ii d. ob. ¶ Paschalis.

Summa redditus Gallinarum dictorum custumariorum de termino Natalis Domini ii s. xi d. q. ¶ Natalis domini.

Summa redditus assise de termino pasche. tam libere tenentium quam custumariorum xxv s. iv d. ob.

Summa redditus eorumdem de termino sancti Michaelis per annum xxviij s. vij d. Item x s. ad predictos terminos

Summa Custumorum vocatorum Unthield ad purificationem beate Marie per annum lx s. ob.

Summa redditus Gallinarum de Natali domini iii s. ii d. q.

Summa summarum predictarum cum Unthield per annum cxvij s. iii d.

¶ Item de Reginald' Crummelond' x s. redditus per annum inveniente...post extentam factam.

¶ Sunt ibidem de operibus custumariis ut patet superius a festo sancti Michaelis usque ad gulam Augusti per xliiij septimanas mcccc iiij^{xx} et v opera per septimanam iij opera. Opera.

¶ Et de duobus cotagiariis per idem tempus iiij^{xx} viii opera de quolibet eorum per septimanam i opus.

¶ Et de xvj toftmen a festo sancte Trinitatis usque ad gulam Augusti per x septimanas ccc et xx opera precium cuiuslibet operis ob. de quibus retractatur pro iij septimanis videlicet Natali Pasche et Pentecostes allocandis. Et etiam pro ij cotagiis et pro arruris gabule...ad seisonas diversas allocandis, clii opera. Et remanet mdccxlij opera precium operis ob.

¶ Summa iiij li. vj s. viij d. ob.

¶ Sunt ibidem de exitu predictorum custumariorum xxij gabule et dimidia quarum quelibet gabula debet arrare super terram domini ad diversas sesonas. Et valet gabula ad commodum domini ad omnes seisinas x d. ob.

¶ Summa xix s. viij d. q.

¶ Sunt ibidem de operibus autumpnalibus predictorum custumariorum a gula Augusti usque ad festum sancti Michaelis cccc xxiiij opera precium operis ij d.

Summa xlj s. ij d.

¶ Summa totius valoris per extentam xliij li. xix s. ob. q.

¶ Item de Reginald' Crummelond' x s. per annum inveniente post confectum extente ut supra, de quibus retractis vij d. redditus debiti Domine ffelicie de Sencler per annum pro quodam prato vocato Baselyemede apud Radbrygge.

¶ Remanet xliij li. xviij s. v d. ob. q. ¶ Item. x s. ut supra.

¶ Et sciendum quod dominus prior Ecclesie Christi Cantuariensis habet libertatem suam in villa de Borlee. Et habet Infangenethief[1], et Utfangenethief[2] cum manu opere capto videlicet Hondhabbande[3], Bakberande[4]. Et furce judiciales eiusdem libertatis stant et debent stare ad Radbrigge. Et inde ad inquirendum de pilloria et Trebuchet'[5]. Et inquisitum est quod debetur stare extra portas exteriores versus occidentem iuxta porcarium domini.

Notandum. ¶ Et memorandum quod quocienscunque indigerit quod iiij homines et praepositum extiterint coram iusticiariis in itinere vel alibi videlicet ad gaolas domini Regis deliberandas vel alibi ubicumque fuerint. Dominus debet invenire duos homines sumptibus suis coram eisdem iusticiariis. Et villata de Borlee sumptibus suis iij homines invenient. Et hoc per consuetudinem a tempore quo non extat memoria ut dicitur.

Notandum. ¶ Et sciendum quod si quis custumarius domini in isto manerio obierit Dominus habebit de herietto[6] meliorem bestiam ipsius tenentis tempore mortis sui inventam. Et si bestiam non habuerit, dabit domino pro herietto ij s. vi d. Et heres faciet finem domino pro tenemento quod fuit patris sui, si sibi viderit expedire, sin autem nichil inde habebit. Salvo tamen uxori eiusdem tenentis defuncti toto tenemento quod fuit viri sui die quo obiit ad tenendum de domino ut liberum bancum suum ad terminum vite sue, si se tenuerit sine marito, et faciendo servicia domino inde debita et consueta. ¶ Si autem per licenciam domini se maritaverit, heredes predicti defuncti predictum tenementum per licenciam domini intrabunt et uxorem relictam dicti defuncti de medietate dicti tenementi dotabunt.

3. Commutation of Services for Rent. Barrington.

Sequitur servicium quod dicti tenentes tenentur facere annuatim sub hac forma. Memorandum quod dimidia virgata terre custumabilis in villa de Barentonn de homagio domini Ricardi de Munfichet dabit operari per annum viz a ffesto sancti Michaelis

[1] Jurisdiction over a thief caught on the manor.
[2] Jurisdiction over any of the men of the manor taken for felony, out of his fee.
[3] When the thief had stolen goods in his hand.
[4] When the thief was bearing stolen goods on his back.
[5] A tumbrel.
[6] In early times the horses and arms of military vassals went to the king when they died, and a similar obligation was long discharged by villains with inferior animals.

usque ad Natale Domini in qualibet quindena tres operaciones precium operis ob. Et debet arrare per unum diem et dimidium et erit allocata pro tribus operacionibus. Et valet arrura si non arat vi d. Et debet herciare quinque dies cum j equo et allocabuntur ei v operaciones, et valet si non herciat v d. Et dabit ad festum sancti Martini j d. ad Warhpayn et ij d. ad Slayrecher et ii gallinas ad Natale domini precii ii d. Et debet averare ter per annum et erit allocatum pro tribus operacionibus. Et si sit foris per unam noctem habebit sibimet cibum et equo suo de custu domini, et erit allocatum de quolibet averag[i]o ii operaciones et valet vi d. Et faciet quarterium brasii contra Natale domini vel ii d. Et inveniet foragium ad ii equos domini per ij noctes infra Natale domini ad domum suam si dominus habet hospitem. Et debet operare a Natali domini usque ad Pascha in qualibet quindena, iij operaciones precium operis ob. Et debet arrare per i diem et dimidium et erit allocatum pro tribus operacionibus, et valet si non arat vj d. Et faciet j quarterium brasii[1] contra pascha vel ij d. et dabit x oua ad pascha et valent ob. Et debet operare a pascha usque ad festum sancti Johannis Baptiste in qualibet quindena iij operaciones precium operis ob. Et debet arrare per unum diem et dimidium. Et erit allocata pro iij operibus. Et valet si non arat vi d. Et debet operare a festo sancti Johannis Baptiste usque ad gulam Augusti in qualibet quindena iij operaciones precium operis ob. Et falcabit holmum domini infra clausum et omnes custumarii simul * * * pro multone suo precium x d. ob. Et falcabit aliud pratum et levabit pro ij operibus. Et sarclabit per unum diem pro amore, viz quod a festo sancti Michaelis usque ad gulam augusti quum debet triturare pro operibus xxiiij garbas frumenti triturabit pro uno opere et xxx ordei pro uno opere et tantum fabarum et pisorum pro i opere. Et si ad opus fecerit operabit a mane usque ad nonam pro uno opere. Et de gula augusti usque ad festum sancti Michaelis debet in qualibet quindena v operaciones per totum diem cum j homine precium operis j d. et ob. Et debet facere iij precarias per iij dies quolibet die cum ij hominibus et habebit cibum suum. Et debet facere iij lovebones post precarias cum j homine suo opere et suo cibo precium cuiuslibet i d. et ob. Et cariabit xvi carectas bladi suo opere precio cuiuslibet carecte ob. Et falcabit j sellionem de dolo domini si dominus vult, et cariabit ad hospicium domini pro j opere. Et si sit dimidia acra falcabit pro ij operibus et dabit dimidiam aucam ad festum sancti Michaelis precio j d. Et dabit j garbam frumenti propter quod equi sui manducant dum intrant bladum suum aliqua occasione.

Et sciendum quod infra xij dies Natalis domini, septimanas pasche et Pentecostes quietus erit ab omni opere, et si dies operacionis sue sit in die apostoli vel in alio ffesto de quo habetur vigilia quietus est ab omni opere, et consuetudine. Et non potest ponere filium suum ad studium neque maritare filiam suam

[1] Malt.

sine licentia domini. Ista vero opera supra dicta mutata sunt in pecuniam et sic isto die non faciunt opera sed solvunt ut sequitur. [The names and payments follow.]

WINSLOW. (Monday after S. Ambrose Ep. in the twenty-first year of Edward III.) *Dimissio terrarum.*

Memorandum quod omnes tenentes infra scripti tam de Wynslowe quam de Greneburgh concedunt pro se et suis heredibus quod quociens et quando redditus terrarum et pasturarum infrascriptus aretro esse contigerit ad aliquem terminum in parte vel in toto, quod dominus per ballivos suos in omnibus aliis terris et tenementis que de domino tenentur in Wynslowe et in Greneburgh predictis possit distringere et districtos retinere quousque de predictis redditibus sive arreragiis, plenarie fuerit satisfactus. Et preterea omnes heredes predictorum tenentium finem facient cum domino post mortem antecessorum suorum pro ingressu habendo in tenementis predictis ad voluntatem domini. Et herietabit etc.

A later entry shows that a considerable area of land was again let in the forty-second year of Edward III.

RUSTINGTON.

Notandum quod omnes virgate terre et dimidie virgate et fferthinglondes ab antiquo tenebantur in bondagio prout patet per custumas predictas, et postquam magna pestilencia fuit, viz in tempore Edwardi tercii, alique tenure inde uno tempore et alique alio, permisse fuere in manus domini, et postea dimisse per dominum pro certis redditibus prout patet per antiquam compositionem de anno Edwardi iij xx° [sic]. Et sic alterata fuit tenura bondagii et custumaria operibus et serviciis. Et sic modo tenentur ad voluntatem domini.

Nomina nativorum domini de sanguine huic manerio suo pertinentium, viz. (but the names are not added).

4. STOCK AND LAND LEASE.

The following example, to which my attention was called by the Rev. W. Hunt, occurs in a Register of Bath Abbey (Brit. Mus. Harl. mss. 3970 f. 20). It illustrates the form of contract very clearly, though it is a case of letting a farm stocked not for tillage but for grazing.

THE INDENTURE OF WILLIAM POLE OF COMBE.

To alle trewe Christen to whom thys presente wryttyng Indented shall come. William Holleweye by the sufferaunce of God Priour of the Monasterye and Cathederill Churche of Saynct Sauyour and of the holie apostelles Peter and Paule of Lathe in the comite of Somerset and Conuente or chapiter of

the same place senden greten in our lorde god euerlastinge. KNOWE ye that we the foresayed priour and Conuent or chapiter with one assente haue lett taken and by thys our present wryttyng indented confyrmyd to William Pole of Combe in the Comite aforsayd husbondemane to Edythe hys wyfe and to Thomas their sonne alle that our ffarme barne and sheppon sett and beyng withyn our manour of Combe aforsayede with alle landes medowes leases pastures woodes and vnderwoodes with alle and sundrye theire appourtenaunces to the foresaide ffarme of olde tyme by ryght perteinyng or belongyng. Except not withstandyng and reseruyd allewayes to vs the said pryor and Conuent and to our successours the Rentes Relevys and alle other seruices of all other tenauntes theire togither with alle custumarye werkes of the same tenauntes there to be done or elleswhere and allso excepte likewyse and reseruide to vs and to our successours the mansione or place of our manour of Combe aforsaide with alle the courte ande dovehouse garden and orcharde there and also the weye that goith frome the kechyn walle vntille the highe weye by the Shepen. And allso excepted and reseruid to vs and our successours our lordesshyppe or Royalte there withe weyffes and streis and alle ryghtes and proffytes of our courtes there vsyde and accustomyd And allso excepte and reseruyd to our chauntre or chauntreys office for the tyme being the thythes of the lande of our parke within our lordesshepe of lyncombe and Jussements of alle catelle and bestes there pasturyng aboue thys nombre folowyng that ys to saye of xij oxen or for them other xxiij bestes vj leyen vj kalves oone bule a mayere and i colte. And allso excepte and reseruyd to vs the sayd priour and Conuent and to our successours the pasture or fedyng of cc femule conyes their brede goyng restyng and fedyng yerelye duryng thys graunte at horsecombe within the sleite of Combe frely and in reste withoute any lette gaynesaye or Impedymente of sayd William Edithe or Thomas theire sonne or theire assynes. AND MOREOVER knowe ye that we the foresayde pryour and conuent by our lyke assente and consent have grauntede lett taken and by thys our present wryttyng indented confyrmed to the sayd William Pole Edythe hys wyffe and Thomas their sone alle that our wether ffloke of Combe aforsayde contenyng in nombre ccclx wethers with alle and alle manere Issues proffyttes and revenewes yerly comyng and growyng of the sayed wether ffloke togyther with pastures sleytes closes medowes hylles or downes and alle other maner of landes or ffeldes belongyng or apperteinyng to the sustentacyon or fedyng of the sayed wether ffloke of olde tyme within the lordesheppe of Combe aforsayde and elles where with the custumarye werkes of our tenauntes there that ys to saye of waysshyng and sheryng of the sayde wether floke at the seasons or tymes mete and accustomyd TO HAVE AND TO HOLDE alle the forsayed ffarme of our manour aforesayed with other the premisses excepte before excepted. And also the foresayd wether floke contenyng in

nombre cccIx with the pastures of the same and custumary werkes aforsayed to the forsayd Wyllyam Pole Edithe his wyfe and Thomas their sonne frome the laste daye of Aprylle in the xxiij^{ti} yere of the reigne of our soueraigne lorde kynge henrye theight for terme of their lyves and for euery of theim longer lyver successively hoolye quyetlye weile and in peace YELDYNG and payng therfore yerly duryng the terme aforesayede to vs the sayd pryour and Conuent and to our successours in maner and forne folowyng That ys to saye for the forsayde ffar[m]e of our manour and other the premysses in grayne or corne as folowythe That ys to saye thei shalle paye or cause to be payed carye or cause to be caryd at theire owen propre costes and expenses yerly duryng the terme aforesayed into the Garnere of the sayd pryour and Conuent and their successours within the sayd monastery of pure and clene and of the beste whete and not of the orffes of any whete weille and purelye thressyd and wynowed xvi quarters of good and lawfule and resonable mesure. To be payde and dylyveryd alleweys betwyne the ffeastes of Saynt Mychelle tharchaungell and Witsontyde wekely as shalbe demaunded and requiryde of theym by the sayed pryour and hys successours or their seruauntes or officers. And in pure and of the beste barlye weill and purely thressyd and wynowed xxii quarters of good lawfulle and resonable mesure. To be payede browght in and dilliueryd as yt be foresayed yerly allewayes bitwyne the ffaestes of alle sayntes and of saynt Davide the confessor the ffyrst daye of Marche wekelye lykewyse as shalbe demaunded and required of theim by the sayed pryour and hys successours or theire mynisters. And morcouer thei shall cutte downe clene and make before the monethe of Maye and carye or c[a]use to be caryd at theire owen propre costes and expenses yerly durying the terme aforesayed foure weyne loodes of woode or fuelle owte of our wood of Pryston or elles where as then shalbe assignede into the Bruerne Orte within our Monasterye or to our manoure of Combe yf thei be so commaunded and theire to pyle the same where thei shalbe assigned at their owne costes and charges and allso they shalle ffeede and faten in stalle yerly duryng the sayed terme for vs and our successours with theire beaste heye from the ffeaste of Saynt Martene the Bysshope in wynter vntille the Invencyon of the hollye crosse one oxe. And moreouer thei shalle carye or cause to be caryd yerly duryng the terme aforesayd three loodes of heye of the draught of vi oxen owt of the brodecrostes to Combe for the fedyng of the sayed wetherfloke at theire owne propre costes and expenses and yeldyng and paying yerly duryng the sayed terme to vs the sayed pryour and Conuent and to our successours for the sayed wetherfloke with their pastures and other their appertenaunces vi poundes of good and lawfulle monye of Englande. To be payed yerly in the ffaeste of the Natiuitye of saynt John the baptyste in the chapelle of alle sayntes within our monasterye aforesayede. And the foresayd Wylliam Edythe hys wyfe and Thomas their soone

and euery of them shalle sue duryng the terme aforsayed to the halymote courte of the sayed pryour and Conuente and theire successours twyse euery yere at lyncombe and lykewyse at the lawe dayes hundre of the Barton twyse euery yere as the manour ys summons hade before. And furthermore thei and euery of them shalle yerly duryng the sayd tyme gather paye and leuye alle the rentes of the sayed pryour and Conuente and hys successours of theire tenauntes there and bryng hyt home to theire monasterye and theire paye yt to the sayed pryour and hys successours or their deputes in their behalfe quarterlye and therof also at theire audyte make a trewe compte without any fee therefore demandyng. AND FURTHERMORE yt ys couenauntyd the forsayd Wyllyam Poale Edithe hys wyfe and Thomas theire soone and euery of them duryng the terme aforesayed shalle from tyme to tyme weill and sufficientlye repayer susteigne and maynteigne when and as often as ned shalbe at their own propre costes and expenses the foresayed ffarme in hedges yattes dyches and alle other manour of defenses and so weille and sufficientlye repayred susteyned & mayntenyd in thende of the sayd terme shall leve and gyve vppe. And yt shalbe not lawfule to the sayed Wylliam Edythe nor Thomas theire soone to lette or assigne any porcyon or parte of the premisses to any other persone duryng the terme aforesayed withoute specyalle lycence of the sayed pryour and Conuent or theire successours thereunto fyrst askyde had and obteynyd. And yf yt chaunce the sayed yerly rente of grayne that ys to saye of xvi quarters of whete and xxii quarters of Barley for the foresayed ffarme or the foresayd yerly rente of vi poundes for the forsayed wetherfloke. Or the ffelyng downe cleuyng and carying of the foresayde woode and heye at their tymes to be byhynde vnpayed by the space of one monethe after any terme of payment that it owght to be payed then it shalbe weille lawfulle to vs the sayed pryour and Conuent and to our successours into the forsayed ffarme and other the premisses with their appertenaunces or into any parcelle thereof to entere and dystreine and the destresse so there founde take bere and chase or dryve aweye and with vs stylle for to kepe and reteigne vntill suche tyme as vnto vs fule satysfactyon of the sayed grayen and rente of the wetherfloke with tharrerages of the same if any be and our costes damages and charges in that behalue be duely made and payede. And yf the forsayed rent of grayne of whet and Barleye or the sayed rent of vi poundes for the sayed wetherfloke or the sayed cuttyng downe cleuyng makying and carying of the sayed woode and heye be byhynd vnpayede in parte or in hole by the space of a quartere of a yere after any terme of paymente that it ought to be payede and in the mene season sufficient destresse for the sayd rent so beyng behynd cannot be founde vppone the sayed ffarme in thappertenaunce. Or yf the foresayd ffarme in alle hedgyng dychyng gattes and other defenses be not frome tyme to tyme duryng the terme aforesayde weille and sufficientlye repayrd

susteynd and mayntaignd. Or yf there chaunce any wayste to be made there by the sayed Wylliam Edythe hys wyfe or Thomas theire sonne then it shalbe weill lawfulle to vs the sayed pryour and Conuent and to our successours or assignes into alle our foresayed ffarme and other the premysses with alle and sundrye theire appertenaunces to reentere resease and haue agayne and in our handes after our fyrst or formere state to reteigne and peasiblye to possesse thys our present graunt in anythyng notwithstandyng. AND FURTHERMORE to areste and saese in to our handes alle the goodes and catalles of the sayed Wylliam Edythe and Thomas tharrerages and dutyes for the sayd ffarme and floke yf any . . . . . be byhynde and theim so arestyd in to our handes kepe stylle vntylle we be fully contente and paid with our costes and damages susteynyd in that behalue. AND FFURTHERMORE by specyalle couenaunt made the said William and Edythe hys wyfe and Thomas their sonne couenaunt and bynde theym and euery of them theyre heyres and executours by theise presentes that they and euery of them streight immedyatly after the sealyng and delyuerye of theise Indentures shalle stonde oblysshed and bounden by theire wrytyng oblygatory vnder the payne of one c li to vs the saide prioure and Conuente and to our successors that they or oone of theym whom it shalle chaunse to be laste or hys executors or assignes in that be halue in thende of the forsaide terme well and truly yelde and delyuer to vs the saide priour and Conuente or to ower successours or to our deputie in that behalue the forsaide wetherflocke conteynyng in nombre ccclx hoole sounde and stronge not rotten banyd nor otherwise diseased. Or at the leaste for euery pole or peace xviij^{d} to be estemyd valued or Judgyd by the hole homage there. So that allewayes notwithstondyng it shalbe at the libertie and choise of vs the said priour and Conuent and ower successours whether we wylle then take the forsaid shepe or the price aforesayd and also that they and euery of theim contynually durynge the terme aforesaid shalle maynteyne and kepe vpp the nombre of the wetherflocke aforesaid withoute any notable dymynycion vpon the pasture aforesayd. And furthermore that they shalle stonde to performe and fullefylle euery oone off hys tyme alle other thynges before specyfyed and expressyd. And we the foresayd Priour and Conuente and our successours alle the forsaid ffarme and other the premysses with their appertenaunces excepte before exceptyd to the forsayd William Edithe and Thomas for termes off their lyues and of euery of theim longer lyuer in maner and forme aboue wryten shalle ageynste alle people waraunte acquyte and defende by theyse presentes. IN WYTNES whereof to thone parte of thys wrytyng indented remaynyng with the foresayd William Edythe and Thomas we the forsayd Priour and Conuente have putt oure comen or Conuente seale. And to thother parte off the same wrytyng Jndentyd remaynyng with vs the said Priour and Conuente and our successours the foresaid William Edythe and Thomas haue putt

theyr seales. YEVEN in our chapter house with our hole assent consente and wylle the xi^th^ day of Nouembre in the xx^ti^ yere of the Reigne or our souerayne lorde Kynge Henry theight.

II. COMPOTUS ROLL.

This remarkably full statement of the accounts of a Hertfordshire Manor gives an admirable picture of the whole system of estate management. It shows that in this case a considerable number of services were still rendered in the old fashion and not commuted for money at the beginning of the fifteenth century. Anstie had temporarily escheated to the Crown, as its owner the Duke of York had died in the previous August and his son had not yet done homage for it. Clutterbuck, *Hertford*, III. 341. The Roll is at the Record Office among the Exchequer Records, and is numbered Q. R. Minister's Account, No. 547/31.

ANSTY HERTS. 2 & 3 Henry IV.

Anesty } Compotus Wil*hel*mi Wodeward *prepositi* ib*idem* a festo *Sancti* Mich*ael*is anno regni Regis Henr*ici* Quarti post Conq*uest*um *secun*do usque in Crastinu*m* ejusdem *festi* tunc p*roximum* sequen*tem* anno Regni R*egis* p*redicti* ter*cio* vide*licet* p*er* unu*m* annu*m* integru*m*.

Arr*eragia* } De arr*eragiis* ultimi sui compo*ti* p*recedentis* n*il* hic q*uia* solv*untur* *super* compo*tum* suu*m*.
Summa null*a*.

Reddit*us* Assise[1] } Idem on*erat*ur de lx s. iiij d. ob. de redd*itu* assise ib*idem* *termino* *Sancti* Andree Apo*stoli*. Et de ij d. de redd*itu* assise ib*idem* *termino* Nat*alis* Dom*ini*. Et de lviij s. xj d. de redd*itu* assise ib*idem* *termino* Annuncia*cionis* Beate Mar*ie*. Et de xiij s. iiij d. de redd*itu* assise *ibidem* *termino* Pasche. Et de vj d. ob. de auxil*io* vicecomitis *ad eundem* *terminum*. Et de lix s. iiij d. de redd*itu* assise *ibidem* *termino* Nat*ivitatis* *Sancti* Johannis Bap*tiste*. Et de xiiij s. ij d. ob. q^a^. de redd*itu* assise ib*idem* *termino* *Sancti* Mich*aelis*. Et de vj d. ob. de auxil*io* vicecomitis ad *eundem* *terminum*. Et de ij d. de in*cremento* redd*itus* v acr*arum* terre libere quas Johannes Whassh nativus Dom*ini* perquisivit *per* cart*am* de Henr*ico* Pake *per* *annum* ad *eundem* *terminum*. Et de ob. de incr*emento* redd*itus* di*midie* acre terre libere quam Thomas Ode nativus Dom*ini* perquisivit *per* cart*am* de dicto Henr*ico* *per* annu*m* ad *eundem* *terminum*. Et de ij s. de incr*emento* redd*itus* uni*us* columbarii edificati *super* tene*mentum* Ric*ardi* Reymound sic eidem Ric*ardo* concessi *per* lic*enciam* Dom*ini* Tenendi eidem Ric*ardo* *et* here*dibus* suis de Dom*ino* *per* annu*m* ad *eundem* *terminum*. [De xij d. de novo redd*itu* ejusdem columbarii n*il* hic nec decet*ero*

[1] A fixed rent, which was paid by the free tenants.

quia predictus redditus condonatur *predicto* Ricardo et heredibus suis per Dominum ut patet per litteras Domini patentes auditori directas super hunc compotum ostensas et penes eundem Ricardum remanentes Datas apud Hertffordiam iiij^to^ die Decembris anno regni Regis Henrici quarti secundo[1].] Et de v d. de novo redditu unius tofti et iiij acrarum terre libere vocate Paskates quas Petrus Phippe nativus Domini perquisivit per cartam de Johanne Paskat per annum ad eundem terminum.

Summa x li. x s. ob. q.

Firme[2] Et de iiij s. de Roberto Tryndeleygh pro firma tenementi quondam Alicie Milward sic eidem dimissi per annum Solvendis terminis Andree Annunciacionis Beate Marie et Nativitatis Sancti Johannis Baptiste equaliter et solebat dimitti pro vij s. Et de x s. de eodem pro firma tenementi Hacchislond sic eidem dimissi per annum ad terminum ix^em^ annorum hoc anno iiij^to^ et solebat dimitti pro xij s. viij d. Et de vj s. ix d. de firma vj acrarum iij rodarum terre dominice sic dimissarum diversis hominibus per annum ad eosdem terminos. Et de xij d. de Wilhelmo Joye pro firma unius acre terre vocate Ethomisacre per annum ad eosdem terminos. Et de iiij s. de Mauricio Longe pro firma tenementi Andreux nuper in tenura Johannis Mervyn sic eidem dimissi per annum ad terminum xviij^cim^ annorum hoc anno xj^mo^ et solebat dimitti pro vj s. Et de v s. de Mauricio Wodeward pro firma tenementi Verdons hoc anno ad eosdem terminos et solebat dimitti pro vj s. Et de vj d. de eodem pro firma unius acre terre dominice apud Milnemar in Northayfeld juxta terram Bandons per annum ad eosdem terminos. Et de v s. de Johanne Longe pro firma unius mesuagii et vij acrarum terre native quondam Roberti le Cook sic dimissorum eidem per annum ad eosdem terminos. Et de vj s. iij d. de Johanne Perlebien et Wilhelmo Thomas pro firma unius tofti et v acrarum terre native quondam Johannis Mervyn vocatorum Ratelers sic eis dimissorum per annum ad eosdem terminos. Et de vj s. de Johanne Ode pro firma unius tofti et v acrarum terre native quondam Ricardi filii Alicie Gayller que Wilhelmus Waldyng nuper tenuit sic ei dimissorum per annum ad terminum xij^cim^ annorum hoc anno vij°. Et de x s. de Nicholao Goodzer pro firma tenementi quondam Johannis Breustere sic ei dimissi per annum pro omnibus serviciis exceptis precariis[3] in Autumpno per annum ad eosdem terminos. Et de v s. de Petro Phippe pro firma unius mesuagii et v acrarum terre native vocatorum Ruddexs que Wilhelmus Arnald nuper tenuit sic ei dimissorum per annum ad eosdem terminos. Et de iiij s. de Ricardo Andrew pro firma tenementi quondam Wilhelmi Longe quod Wilhelmus Vauwe nuper tenuit sic ei dimissi per annum ad terminum xij^cim^

[1] This passage is cancelled in the original.

[2] Rents at which the land was let from time to time; it appears that there had been a fall in rents.

[3] Precariæ, Boon days, or occasional days of work which were required in addition to the regular week work.

annor*um* hoc *anno* viij°. Et de vj s. de Joh*anne* Ballard *pro* firm*a* ten*ementi* et v acr*arum* *terre* native voc*atorum* Olde Andreux que Rob*ertus* Wyse nup*er* tenu*it* sic ei d*imissorum* *per* *annum* ad *terminum* xij^{cim} annor*um* hoc *anno* iij°. Et de v s. Mauric*ii* Sothman *pro* firm*a* uni*us* tofti et v acr*arum* *terre* native voc*atorum* Clates que Wil*helmus* Waldyng nup*er* tenu*it* sic eidem Mauric*io* d*imissorum* *per* *annum* ad *terminum* xxiiij^{or} annor*um* hoc *anno* iij°. Et de vj d. de Johanne Ballard *pro* firm*a* uni*us* acre et d*imidie* *terre* jac*entium* in Weston quas Matild*a* Driv*ere* nup*er* tenu*it* *pro* xij d. in manu Dom*ini* exis-t*entium* *per* escaet*am* c*a*u*sa* felon*ie* quam Joh*annes* Bekenor fec*it* sic d*imissarum* eidem Joh*anni* *per* *annum* ad *eosdem* *terminos*. Et de vj d. de eodem Joh*anne* *pro* firm*a* uni*us* acre *terre* in Weston quondam Joh*anni*s le Reue p*arcelle* *dicte* escaete sic eidem Joh*anni* dimisse *per* *annum* ad *terminum* xviij^{cim} annor*um* hoc *anno* xj°. Et de xvj d. de Ric*ardo* Gerard *pro* firm*a* uni*us* crofti voc*ati* Crowescroft cu*m* j acr*a* *terre* adjac*ente* sic eidem d*imissi* *per* *annum* ad *terminum* xviij^{cim} *annorum* hoc *anno* xj°. Et de iij s viij d. de Joh*anne* Doraunt *pro* firm*a* ij croft*orum* voc*atorum* Whelymers cont*inentium* v acr*as* *terre* nativ*e* p*arcell*am* de xv acr*is* war*ecti*[1] *terre* native quondam Joh*anni*s Reymound de Wodestrete *per* *annum* ad *eosdem* *terminos*. Et de x d. de Joh*anne* Helder *pro* firm*a* j acr*e* et iij rod*arum* *terre* native p*arcella* *dicti* ten*ementi* in Berstall feld que Wil*helmus* Kent nup*er* tenu*it* sic ei d*imissarum* *per* *annum* ad *terminum* xviij^{cim} annor*um* hoc *anno* xxj^{mo} (*sic*) ut *patet* *per* rot*ulum* cur*ie* de *anno* *regni* *regis* iiij^{to}. Et de xiij d. de eodem Joh*anne* *pro* firm*a* ij acr*arum* *terre* native p*arcella* *dicti* ten*ementi* sic d*imissarum* eidem *per* *annum* ad *eosdem* *terminos*. Et de x d. de Henrico Colsweyn *pro* firm*a* uni*us* acre et d*imidie* *terre* nativ*e* et uni*us* rode *prati* p*arcella* *dicti* ten*ementi* sic ei d*imissarum* *per* *annum* ad *terminum* xxj^{us} annor*um* hoc *anno* x^{mo}. Et de vij d. ob. de Ric*ardo* Thruston *pro* firm*a* uni*us* acre et uni*us* rode *terre* native p*arcella* *dicti* ten*ementi* sic ei d*imissarum* *per* *annum* ad *terminum* xviij^{cim} annor*um* hoc *anno* xvij°. Et de viij d. de Nich*olao* Reymound *pro* firm*a* uni*us* acre et d*imidie* *terre* native p*arcella* *dicti* ten*ementi* in Berstallefeld voc*atarum* le Thonge sic ei d*imissarum* *per* *annum* ad *terminum* xviij^{cim} annor*um* hoc *anno* xvij°. Et de iij d. de Roberto Tayllour *pro* firm*a* iij rod*arum* *terre* native p*arcella* *dicti* ten*ementi* sic d*imissarum* eidem Joh*anni* *per* *annum* ad *eosdem* *terminos*. Et de iij d. de Joh*anne* Baroun *pro* firm*a* d*imidie* acre *terre* native p*arcella* *dicti* tene-*menti* sic d*imisse* eidem Joh*anni* *per* *annum* ad *terminum* xxj^{us} annor*um* hoc *anno* xj°. De firm*a* ij acr*arum* et d*imidie* *terre* native p*arcella* *dicti* ten*ementi* *nil* hoc *anno* *pro* defect*u* condu*ctionis*[2]. Et de ij s. de Ric*ardo* Reymound *pro* firm*a* uni*us* ten*ementi* minor*is* tenure voc*ati* Beckes *quod* Wil*helmus* Kene prius tenu*it* *per* op*era* sic d*imissi* eidem Ric*ardo* *per* *annum* ad *eosdem* *terminos*. Et de iiij s. de Thoma Vyne *pro* firm*a* uni*us*

[1] Fallow. [2] For default of a lessee.

tenementi et v acrarum terre native vocatorum Rauenes que Nicholaus Goodzeer prius tenuit per opera nuper in tenura Alicie Lavender ex concessione Domini tenenda eidem Alicie ad terminum vite sue modo sic dimissorum eidem Thome per annum ad terminum xviij^{cim} annorum hoc anno x^{o} et solebat dimitti pro v s. Et de iij s. de Wilhelmo Algood pro firma unius mesuagii et iij acrarum terre native vocatorum Coupers tenement que Johannes Milnere nuper tenuit per opera sic dimissorum eidem Wilhelmo et heredibus suis per annum ad eosdem terminos ut patet per Rotulum Curie de anno regni regis iiij^{to}. Et de vj s. viij d. de Thoma Martyn pro firma unius mesuagii et vij acrarum terre native cum pertinentiis quondam Henrici Joye que Wilhelmus Arnald nuper tenuit per opera modo sic dimissorum eidem Thome per annum ad terminum xxiiij annorum hoc anno xiiij^{o}. Et de xviij d. de Domino Johanne Caules rectore pro firma unius crofti continentis j acrum terre native cum pertinenciis vocatum Hewlotes Croft quod Wilhelmus Joye nuper tenuit modo sic dimissi eidem Domino Johanni per annum ad terminum xij^{cim} annorum hoc anno et solebat dimitti pro ij s. Et de viij s. vj d. de Wilhelmo Ode pro firma unius tenementi majoris tenure cum pertinenciis quondam Ricardi Buntyng quod Thomas Saman nuper tenuit per opera sic dimissi eidem Wilhelmo per annum pro omnibus serviciis ad terminum xviij^{cim} annorum hoc anno xj^{mo}. Et de iiij d. de Johanne Ode pro firma unius acre terre dominice jacentis apud Hungerhul nuper in tenura Johannis Thressher modo sic dimisse eidem Johanni ad terminum vij^{em} annorum hoc anno x^{mo} (*sic*). Et de viij d. de eodem Johanne pro firma ij acrarum terre dominice cum pertinenciis parcella dicte pecie sic dimissarum eidem Johanni per annum ad terminum xxj^{us} annorum hoc anno v^{to}. Et de iiij d. de Johanne Baroun pro firma unius acre terre dominice cum pertinenciis parcella dicte pecie sic dimisse eidem Johanni per annum ad terminum xl^{a} annorum hoc anno x^{o}. Et de iiij d. de Wilhelmo Togood pro firma unius acre terre dominice cum pertinenciis jacentis apud Smetheshul sic dimisse eidem Wilhelmo et heredibus suis per annum ad eosdem terminos ut patet per Rotulum Curie de anno regni regis xix^{o}. Et de viij s. Nicholao Reymound pro firma unius tenementi majoris tenure cum pertinenciis quondam Nicholai Horsman quod idem Nicholaus Reymound prius tenuit per opera sic dimissi eidem Nicholao per annum pro omnibus serviciis nativis ad terminum xij^{cim} annorum hoc anno v^{to}. Et de iiij d. de Wilhelmo Crench pro firma unius acre et unius rode terre dominice jacentium apud Hungerhul sic dimissarum eidem Wilhelmo per annum ad terminum xx^{ti} annorum hoc anno ij^{do}. Et de viij s. de Ricardo Stokwell pro firma unius tenementi et x acrarum warecti de Molond existentium in manu Domini per escaetam causa abjuracionis[1] et felonie quas Wilhelmus Martyn fecit sic dimissorum

[1] A man or woman who had committed felony and taken sanctuary was permitted to make an oath that he or she would leave the realm as soon as possible. Cf. A. Réville in *Revue historique*, L. 1.

eidem Ricardo ultra antiquum redditum et servicia per annum ad terminum xij^{cim} annorum hoc anno ij^{s}. Et de viij s. vj d. de Johanne Ode pro firma unius tenementi majoris tenure continentis x acras warecti terre native cum pertineneiis que dictus Johannes nuper tenuit per opera sic dimissi eidem et heredibus suis pro omnibus serviciis nativis per annum ut patet per Rotulum Curie de anno Regni Regis Henrici Quarti secundo. Et de v s. de Johanne Helder pro firma unius tenementi et v acrarum warecti terre native cum pertineneiis vocatorum Whelers que dictus Johannes nuper tenuit per opera sic dimissorum eidem Johanni per annum ad terminum ij^{orum} annorum ut patet per Rotulum Curie hujus anni. Et de xij d. de Nicholao Rediswell pro firma ij acrarum terre dominice in Bandennfeld sic dimissarum eidem Nicholao per annum ad terminum xxiiij^{or} annorum ut patet per Rotulum Curie hujus anni. Et de iiij s. j d. de Ricardo Helder pro firma vij acrarum terre dominice et unius rode et dimidie pasture parcella dicte pecie terre vocate Bayllyhul sic dimissarum eidem Ricardo per annum ad terminum xx^{ti} annorum ut patet per Rotulum Curie hujus anni. Et de xvij d. de Johanne Frer pro firma ij acrarum iij rodarum terre dominice apud Hirchounsheg sic dimissarum eidem Johanni per annum ad terminum vj annorum ut patet per Rotulum Curie hujus anni.

Summa vij li. xij s. ix d. ob.

Opera vendita } Et de iiij s. v d. de cvj operibus yemalibus
} venditis extra precium operis obolus. Et de iij s. iiij d. de xl operibus autumpnalibus venditis extra precium operis j d.

Summa vij s. ix d.

Exitus manerii } Et de vj s. de firma xij gallinarum hoc anno
} pro capite vj d. Et de j d. de xx ovis gallinarum de redditu venditis extra. Et de xviij s. de iiij acris ij rodis subbosci venditis in ambobus boscis hoc anno pro acra iiij s. Et de iij d. de spinis venditis in Busswode hoc anno. Et de x s. de raceinis[1] et croppes querculorum in Busswode venditis hoc anno in grosso. Et de vj s. de stramine albo vendito diversis hoc anno. Et de iij s. de stramine pisorum vendito hoc anno. Et de x d. de stramine vendito bercarie hoc anno. Et de iij d. de corio unius vituli de morina vendito extra. Et de l s. vj d. de feno vendito diversis hoc anno. Et de ij s. iij d. ob. de ij acris iij rodis warecti venditis Johanni Frer hoc anno. Et de viij s. j d. de diversis sepis venditis hoc anno. Et de xx d. de veteri meremio[2] cujusdam pistrine[3] tenementi Rauenes prostrate per ventum vendito hoc anno. Et de xiij d. de ij peciis veteris meremii venditis per warentum. Et de ij s. de loppis et raceinis meremii prostrati pro molendino venditis Johanni Nhote hoc anno. Et de loppis fraxinorum[4] in Rookwode venditis Simoni Warenn ij s. Et de vj d. de ij peciis veteris meremii venditis per warentum.

Summa cxij s. vj d. ob.

[1] This appears to be a latinised form of the French *racine*, from the low Latin *radicina*. The phrase stands for Roots and branches.
[2] Timber. [3] Bakery. [4] Ash-trees.

Perquisita Curie } Et de xxiv s. v d. de j curia tenta ibidem die Lune proximo ante festum Simonis et Jude. Et de x s. viij d. de j curia tenta ibidem die Jovis proximo post festum sancti Hilarii. Et de xxiv s. ix d. de j curia cum visu tenta ibidem die Sabbati in Vigiliis Transfigurationis. Et de iiij s. xj d. de j curia tenta ibidem die Lune in festo Sancti Jacobi.

Summa lxiiij s. ix d.

Venditio pasture } Et de ix d. de pastura circa sepes bercarie vendita Johanni Baroun. Et de ix d. de pastura circa Milleheg eidem vendita. Et de vj d. de pastura per sepes circa gardinum eidem vendita. Et de iiij d. de pastura in La Stonydane vendita. Et de iiij d. de pastura per sepes exopposito tenemento Johannis Helder eidem vendita. Et de xvj d. de pastura subtus tenementum Wilhelmi Togood vendita Johanni Frer hoc anno. Et de xv d. de pastura de La Teenacres vendita Wilhelmo Thomas hoc anno. Et de vj s. receptis de pastura in terra frisca[1] tam pro iiij vitulis ablactatis quam pro bestiis diversis ultra scitum[2] manerii ibidem pasturandis hoc anno. De agistamento[3] in campo post autumpnum nil hic quia amerciatur in Rotulo Curie. De pastura apud La Lygh nil causa supradicta et eciam quia depasta cum bidentibus Domini. De pastura subtus boscum Prioris nil quia subter et dimittitur ad firmam supra in titulo firmarum. Et de iij s. iiij d. de pastura apud La Hale cum una parva pecia terre frisce subtus croftum Roberti Wyse in eodem campo vendita Domino Johanni Caules rectori hoc anno. Et de iiij s. de agistamento equorum diversorum in Estwode vendito hoc anno.

Summa xviij s. vij d.

Venditio bladi } Et de xlviij s. de ix quarteriis frumenti venditis extra pro quarterio v s. iiij d. Et de iiij li. xix s. de xvj quarteriis iiij bussellis frumenti venditis hospicio Domini extra pro quarterio vj s. Et de xliij s. iij d. de xij qr. vij bu. pisorum venditis ad diversa precia. Et de xxxj s. viij d. de ix. qr. iiij bu. drageti venditis qr. ad iij s. iiij d. Et de viij li. vj s. x d. de xlv qr. iiij bu. ordei venditis qr. ad iij s. viij d. Et de iiij li. ij s. de xx qr. iiij bu. ordei venditis extra qr. ad iiij s. Et de xxx s. viij d. de xj qr. iiij bu. avene venditis hospicio Domini apud Waltham quarterium ad ij s. viij d. Et de iiij li. ix s. viij d. de xxxiij qr. v bu. avene venditis extra quarterium ut supra. Et de xviij s. de vj qr. avene venditis extra quarterium ad iij s.

Summa xxx l. ix s. j d.

Venditio Stauri } Et de xxxij s. de iiij bovettis venditis extra mense Octobris pro capite viij s. Et de xvj s. de ij stottis debilibus venditis extra mense Junii. Et de iiij s. de xij aucis venditis extra pro capite iiij d. Et de viij s. iiij d. de xxv caponibus venditis extra pro capite iiij d. Et de xx d. de x gallinis de redditu venditis extra pro capite ij d.

Summa lxij s.

[1] Waste land.
[2] The curtilage of the manor-house.
[3] The taking in of other people's cattle to graze.

Firma Vaccarum } Et de lxxv s. de firma xv vaccarum ad plenam firmam existentium pro capite v s.
Summa lxxv s.

Chevagium[1] } Et de xij d. de chevagio Wilhelmi Breustere de Walkerum nativi Domini pro licencia morandi extra dominium per annum. Et de vj d. de chevagio Johannis Horsman de Mesden nativi Domini pro licencia morandi extra dominium per annum
Summa xviij d.

Redditus et recepta forinseci } Et de xl s. de firma de Brunne pertinente ad istud manerium per annum. Et de lx s. de prima escaeta causa felonie quam Radulphus Reymound fecit. Et de xxv s. vj d. de parte ultime escaete causa felonie quam idem Radulphus fecit ut patet per Rotulum Curie hujus anni. Et non plus quia diversa staura et hostilamenta[2] ejusdem escaete appreciata ad lxij s. reservantur ad opus Domini.
Summa vj li. v s. vj d.

Venditio super compotum } Et de ix s. j d. de diversis rebus venditis super compotum extra.
Summa ix s. j d.

Summa totalis receptorum lxxij li. viij s. vij d. ob. q.

Allocationes et defectus redditus } Inde in defectu redditus tenementi vocati Hacchislond quia in manu Domini et ad firmam per annum terminis Andree Annunciationis Beate Marie et Nativitatis Sancti Johannis Baptiste xviij d. In defectu redditus tenementi quondam Johannis Reymound de Wodestrete per annum ad eosdem terminos xiiij d. In defectu redditus tenementi quondam Ricardi Buntyng per annum ad eosdem terminos xij d. In allocatione redditus Johannis Nhote messoris[3] pro officio suo per annum ad eosdem terminos v s.
Summa viij s. viij d.

Custus carectarum } In ferro et ascere[4] emptis pro ferramento ij carectarumfabricaturum hoc anno viij s. vj d. In stipendio fabri pro fabricatione earundem ix s. iiij d. .In iiij stradcloutis[5] emptis pro pecia ij d. ob. x d. In iij Rusteschon[6] emptis pro pecia iij d. ix d. In iiij ferris pedalibus emptis xv d. In iiij duodenis ferrorum equinorum emptis tam pro equis carectarum quam pro stottis ferrandis hoc anno pro duodena ix d. iij s. In [mille] clavorum equinorum emptorum tam pro dictis ferris quam pro veteribus firmandis pro centena iij d. ij s. vj d. In

[1] A capitation payment, or poll tax.
[2] Stores and household goods.
[3] The hayward, an official who looked after the seed paid by the villans and the sowing, and who had an allowance made in his rent in consequence of discharging these duties. Compare *Fleta*, II. 84.
[4] Steel.
[5] Mr Hall informs me that this means a plate of thin iron with which the upper part of the end of the axle was 'clouted' so as to prevent the wheel from wearing it.
[6] *Rusteschon* is probably old horse-shoes.

stipendio fabri pro imposicione et r...cione dictorum ferrorum ex consuetudine ultra frumentum extra ij s. In stipendio carpentarii tam pro factura novarum carectarum de meremio Domini hoc anno quam pro cooperata exacione carectarum[1] et herciarum[2] manerii ex consuetudine per annum iij s. vj d. In uno vomere de novo empto ij s. iiij d. Summa xxxiiij s.

Custus carrorum } In unctura empta pro carris iiij d. In dimidio corio dealbato empto pro harnesiis reparandis viij d. In ij roynes de cannabe emptis pro capistris. [j d.] Summa xiij d.

Empcio bladi et stauri } In xxiiij pulcinis emptis pro caponibus faciendis pro capite j d. ij s. In iiij vitulis emptis de firmario vaccarum ex consuetudine firme sue iiij s. Summa vj s.

Minuta } In oblatione iiij famulorum carucariorum et unius carectarii pro die Natalis Domini cujuslibet in die ij d. x d. In oblatione eorundem pro die Pasche cujuslibet in die ob. ij d. ob. In pergamento empto tam pro Rotulo Curie et Extractis quam pro isto Compoto superscribendo xij d. In emendacione iij parium cathenarum et serurarum equinarum iiij d. In stipendio Mauricii Longe facientis x ij clades[3] pro falda de virgis Domini viij d. In stipendio Johannis Doraunt carpentarii de novo facientis unum alveum ligneum et unum presepe pro vitulis iiij d. In una serura equina cum cathenis[4] empta vj d. Summa iij s. x d. ob.

Custus Domus } In stipendio Mauricii Longe cooperientis super longum stabulum ac eciam super stabulum carectarum per iij dies [et] dimidium capientis per diem iiij d. xiij d. In stipendio Alicie Helder tractantis stramen eidem per idem tempus vij d. In stipendio Wilhelmi Joye carpentarii vergentis granariorum infra per j diem iiij d. In spykyngs et minutis clavis emptis ad idem vij d.

Summa ij s. vii d.

Custus Molendini et bidentum } In una petra molaris empta pro molendino lx s. In stipendio molendinarii circulantis le trendel[5] molendini iii d. Soluti molendinario cubanti dictam novam petram molarem ex consuetudine xij d. In stipendio Wilhelmi Joye carpentarii scalpantis meremium pro iiij postibus novis una cum imposicione unius whepe[6] unius overway ac eciam bordantis latera ex utralibet parte molendini ex consuetudine in grosso xiij s. iiij d. In spykyngs et clavis emptis pro dictis bordationibus firmandis xiij d. In expensis prepositi et unius molendinarii euntium usque Cantabrigiam pro dicta petra molare emenda vj d. In carcacione[7] dicte

[1] Fitting the axle to the wheels and body of the wain.
[2] Harrows.
[3] Hurdles.
[4] Bits and reins.
[5] Turning the treadle (Lye).
[6] The sail of a windmill.
[7] Carriage or freight.

petre molaris una cum expensis ipsius prepositi molendinarii famulorum et equorum manerii ac aliorum ad idem auxilium eundo et redeundo omnibus in denariis computans precium avene ut extra ij s. iiij d. In j lagena resine empta pro bidentibus ungendis[1] viij d. In una lagena butiri empta ad miscendum cum eodem pro unctura inde habenda viij d.

Summa lxxix s. x d.

Trituracio et vannacio[2] } In vj qr. iiij bu. frumenti trituratis ad taschamm pro qr. iij d. xix d. ob.

In vj qr. avene trituratis ad taschamm pro qr. ij d. xij d. In lxx qr. diversorum bladorum tam de trituratione famulorum quam ad taschamm vannatis ad taschamm pro qr. ob. q^{a}. iiij s. iiij d. ob.

Sarculatio et falcatio[3] } In bladis Domini sarculandis ultra opera custumariorum et molemen-

norum hoc anno v s. x d. In v acris [et] dimidia herbagii falcandis ad taschamm hoc anno pro acra viij d. iij s. viij d. In dicto herbagio spargendo levando et in feno faciendo ut in servisia data eisdem custumariis et molemennis ultra auxilium famulorum hoc anno iiij d. et non plures acre falcate ad taschamm quia xxj acre falcate per opera custumariorum et molemennorum et non plures pro tenementis que sunt in manu Domini hoc anno. In uno homine conducto ad falcandum cum eisdem custumariis et molemennis loco tenentis Rauenes quia in manu Domini et ad firmam supra viij d. Et pro tenemento quondam Henrici Joye causa predicta viij d. Et pro tenemento quondam Ricardi Buntyng causa predicta viij d. Et pro tenemento Whelers causa predicta iiij d. Et pro tenemento quondam Nicholai Horsman causa predicta iiij d. Et pro tenemento quondam Thome Ode causa predicta iiij d. et non plures quia faciunt opera sua ut molemenni. Et pro tenemento messoris causa officii sui iiij d. De ij d. pro uno tofto cum ij acris dimidia terre de molagio[4] vocato Claces existente in manu Domini per sursum reddicionem[5] Hugonis Blunvyle et Agnetis uxoris sue usque ad plenam etatem heredis nulla allocatio hic quia Mauricius Wodeward facit predictum opus hoc anno. Et sciendum [est] quod Mauricius Wodeward facit predictum alternato anno. De iiij d. pro tenemento quondam Wilhelmi Martyn existente in manu Domini causa supradicta nulla allocatio hic nec decetero quia tenementum predictum in manu Domini et ad firmam supra cum operibus suis. In caseo empto pro eisdem custumariis et molemennis falcantibus in pratis Domini ex consuetudine vij d. In feno predictarum xxj acrarum falcatarum per opera llevando et faciendo nil quia per opera custumariorum et molemennorum de consuetudine.

Summa xiij s. ix d.

Custus Autumpni } In ij^{o} xxx allecium per minus centum emptis tam pro expensis cj^{us} custumario-

[1] For the scab.
[2] Threshing and winnowing.
[3] Weeding and mowing.
[4] Molmen's land.
[5] The surrender of a holding into the hands of the lord.

rum et molemen*norum* ven*ientium* *quasi* per unum diem ad ij sicc*as* *precarias*[1] in autu*m*pno de cons*uetudine* ut ex*tra* quam *pro* expens*is* uni*us* mess*oris* uni*us* car*ectarii* iiij famul*orum* carucar*iorum* et uni*us* b*er*car*ii* quor*um* cust*umarii* et molemen*ni* quil*ibet* h*abe*b*at* ij alleces *precii* *quadrantis* et *predicti* vij famul*i* quil*ibet* sim*iliter* h*abe*b*at* ad utra*m*que *precariam* ij alleces *precii* *quadrantis* ex cons*uetudine* ij s. iiij d. ob. q^{a}. In xxix acr*is* dim*idia* fr*umenti* met*endis* et ligand*is* ad tasc*ham* *pro* acr*a* vj d. xiiij s. ix d. In xliij acr*is* dim*idie* piso*rum* et avene met*endis* et ligand*is* ad tasc*ham* *pro* acr*a* v d. xviij s. j d. ob. In xxj acr*is* dim*idie* ordei met*endis* et ligand*is* ad tasc*ham* *pro* acr*a* viij d. xiiij s. ij d. In div*ersis* blad*is* de mess*oris* famul*is* ligand*is* ad tasc*ham* *propter* occupacio*nem* car*ucarii* xij d. In expens*is* famul*orum* man*erii* met*entium* ligant*ium* et colligenc*ium* div*ersa* blad*a* ut ex*tra* car*iantium* furc*antium* ac meianc*ium* blad*a* in *grangiam* hoc *anno* prout allo*catum* *est* in compo*to* p*re*cedente iij s. iiij d. In v p*ar*ib*us* cirot*icarum* emp*tis* *pro* famul*is* man*erii* x d. In candel*is* emp*tis* *pro* autu*m*pno ij d. In expens*is* famul*orum* ad cor*um* Ripgoos[2] in fine autu*m*pni xviij d. In stipen*dio* uni*us* Repreve *nil* hoc anno *quia* null*um* h*abe*u*erunt*. *Summa* lvj s. iiij d. q^{a}.

Stipen*dia* } In stipen*dio* *prepositi* *per* annu*m* xiij s. iiij d. prout allo*catum* *est* in compo*to* p*re*cedente. In stipen*dio* firm*arii* qui *est* eciam loco uni*us* daye[3] *per* *annum* iij s. In stipen*dio* cl*er*ici scribe*n*t*is* hunc compo*tum* vj s. viij d. In stipen*dio* iiij famul*orum* carucar*iorum* et uni*us* car*ectarii* quol*ibet* capie*nte* *per* annu*m* xij s. lx s. In stipen*dio* uni*us* b*er*car*ii* ex cons*uetudine* *per* *annum* x s. Et *predicti* famul*i* p*er*cipient vestur*am* uni*us* rode fr*umenti* et uni*us* rode piso*rum* vel avene ex cons*uetudine* ut ex*tra* et vocant*ur* cowrodes. Et mess*or* sim*iliter* p*er*cipiet vestur*am* uni*us* rode fr*umenti* et uni*us* rode piso*rum* vel avene. *Summa* iiij li. xiij s.

Vadia et annue*tates* } In vadiis Simonis atte Bowe de Buntyngford *per* tempus compo*ti* ad ij d. *per* diem ex concess*ione* *Domini* ad t*er*minum vite sue *pro* custodia silvar*um* et waren*narum* ut p*atet* *per* *litte*ras *Domini* patent*es* al*iter* super compo*tum* ostens*as* et pen*es* eundem Simonem rem*anentes* Dat*as* ap*ud* London x^{o} die Novem*bris* anno Regni *Regis* Henr*ici* Quarti ij^{o} lx s. x d. Et sol*uti* Joh*anni* Harwe de quad*am* annuet*ate* xl s. *per* *annum* eidem Joh*anni* concess*a* *per* *Dominum* Ed*mundum* Duc*em* Ebor*acensem* et Com*item* Cant*abrigie* ad t*er*minum vite sue p*er*cipiend*a* annuat*im* de *Dominio* de Brunne p*er*tin*ente* ad istud man*erium* ad *termin*os Pasche et *Sancti* Mich*aelis* *per* equal*es* porc*iones* ut p*atet* *per* *litte*ras *Domini* patent*es* pen*es* eundem Joh*annem* rem*anentes* al*iter* *super* compo*tum* ostens*as* et per *litte*ram *Domini* de warento *preposito* direct*am* al*iter* *super* com-

[1] Precariæ when no beer was allowed. Apparently 'siccæ precariæ' might fall on dies operabiles and the tenant then was excused from rendering the less valuable service. See below under opera autumpnalia.

[2] *Ripgoos.* This may have been the Kern-supper when harvest was over.

[3] Dairy woman.

*pot*um ostens*am* et pene*s* eundem *prepositum* rema*nentem* Data*s* ij° die April*is* anno regni *Regis* Ric*ardi* vij° *pro termin*is Pasche et *Sancti* Mich*aelis* hoc *anno* xl s. Et eidem Joh*anni* de quadam annuet*ate* xxxiij s. iiij d. *per annum* eidem Joh*anni* concessa *per dictum Dominum* ad *terminum* vite sue *percipienda* annuat*im* de hoc mane*rio* ad *termino*s Pasche et *Sancti* Mich*aelis per* equale*s* porcio*nes* ut *patet per litteras Domini* de warento *preposito* direct*as* al*iter super* compo*tum* ostens*as* et pene*s* eundem *prepositum* rema*nentes* Dat*as* xxvij die April*is* anno regni *Regis* Ric*ardi* xxij° *pro termin*is Pasche et *Sancti* Mich*aelis* hoc anno xxxiij s. iiij d. *Summa* vj li. vij s. vj d.

Expens*a* sene*scalli* cum feod*is* } In expens*is* sene*scalli* curie coronator*is* cleric*i* sui et al*iorum* ibid*em* existent*ium* ad unam curi*am* ibid*em* tent*am propter* inquisi*tionem* et appreciacio*nem* bonor*um* et catal*lorum* Radulphi Reymound felon*is* ac eciam quo die dict*us* Radulphus abjuravit regnu*m* Anglie omnib*us* comput*atis* in den*ariis* v s. Et sol*uti* sene*scallo* tenent*i* curi*am* Domini ibid*em* *pro* feodo suo *per annum* ex *precepto* Dom*ini* et consil*ii* sui xiij s. iiij d.

Summa xviij s. iiij d.

Expens*a* fore*nsica* } In expens*is* prepositi equit*antis* apud Waltham ex *precepto* Petri Mavan se*nescalli* hospic*ii* Dom*ini* *pro* frum*ento* et aven*a* providend*is* *pro* dicto hospic*io* eundo et redeundo *per* ij vic*es* hoc anno xij d. Et sol*uti* Joh*anni* Child coronat*ori* et *cleri*co suo pro feod*is* suis exist*entibus* *ibid*em die quo Radulph*us* Reymound abjuravit regnu*m* Anglie ut *supra* v s. *Summa* vj s.

Lib*eratio* Domini } Lib*eratio* Henr*ico* Bracy thesa*urario* hospic*ii* Dom*ini* tam in den*ariis* quam victu ultim*o* die Febr*uarii* ut p*atet per* quandam indentur*am* sigill*o* ipsius sign*atam* xiij li. xij s. iiij d. Et eidem *per* eandem indent*uram* x^mo^ die Marcii xj li. vj s. viij d.

Summa xxiiij li. xix s.

Summa omni*um* expens*arum* et lib*erationum* xlvij li. xvj s. x d. ob. q^a^. Et debe*t* xxiiij li. xj s. ix d. E quib*us* alloc*ati* eid*em* xj d. *pro* agistam*ento* uni*us* vituli Race [?] ibid*em*. Et eid*em* xvj d. de rewardo facto servient*ibus* ib*id*em ad potand*um*. Et eidem xx d. pro j vitulo *anno* predicto sim*iliter* dissolut*os*. *Summa* alloc*ata* iij s. xj d. Et sic debet xxiiij li. vij s. x d. quos sol*utos* *super* compo*tum* Thesa*urarii*. Et quiet*us* est.

[*Back of the Roll.*]

Anesty } Exitus *grangie* ibid*em* de anno *Regni* Henr*ici* Quarti primo.

Frumentum } Idem *respondit* de iiij^xx^ ij qu. j bu. di. mens*ura* ras*a* de toto ex*itu* *grangie* ib*id*em hoc *anno* ultr*a* vestur*am* ij rod*arum* ejusdem ex*itus* liber*atam* famul*is*

manerii et messori ex consuetudine anno precedente. Unde trituratis et vannatis ad tascham viij bu. cumulatos vj qr. iiij bu. Et pro cumulo ad idem j bu. di. Et per famulos secundum xxj pro xx lxxv qr. v bu. di. Et pro avantagio ad idem iij qr. vj bu. Et de j bu. frumenti de mutuo novi grani respondit pro liberatione famulorum. Summa iiij^{xx} vj qr. ij bu.

Inde in semine super lxxix acras terre per estimationem seminis in Hoomfeld hoc anno xxiiij qr. vj bu. sic super acram ij bu. di. plus in toto di. bu. per tallagium contra Johannem Nhote messorem et seminatorem et prepositum inde factum. In stipendio prepositi per annum capientis per annum j bu. frumenti prout aliter est in compoto precedente vj qr. iiij bu. Et liberati ad mixturam famulorum inferiorum xxv qr. v bu. di. In pane furnato pro expensis custumariorum et molemennorum in pratis Domini de consuetudine hoc anno iiij bu. unde fiunt de bussello xj panes et non plures quia non plures custumarii qui operantur. In pane furnato pro expensis cj custumariorum et molemennorum ultra expensas messoris et famulorum ut infra quasi per unum diem venientium ad ij siccas precarias in Autumpno hoc anno quorum quilibet percipiet j panem unde fiunt de bussello x panes de consuetudine et xv custumariorum et molemennorum quilibet percipiet similiter ad vesperam j panem ad utramque precariam unde fiunt de bussello xv panes et vocantur Aveloves j qr. v bu. di. In vendicione hospicio Domini infra xvj qr. iiij bu. Et pro cumulo ad idem iiij bu. Et venduntur in patriam ix qr. Et pro avantagio ad idem iij bu. di. Datus Februario ex consuetudine ferrure equorum carectarum et stottorum ultra denarios infra j bu. In stipendio unius garcionis spargentis sulcos[1] per ix septimanas ad seasonam frumenti et xl^{e} capientis per septimanam di. bu. iiij bu. di. Summa que supra. Et eque.

Pisa } Et de xxiiij qr. vij bu. di. pisorum mensura rasa respondit de toto exitu grangie ibidem hoc anno unde trituratis et vannatis per opera mensura rasa xvij qr. ij bu. Et pro famulis secundum xxj pro xx vij qr. v bu. di. Et pro avantagio ad idem iij bu. Summa xxv qr. ij bu. di.

Inde in semine super xxix acras terre per estimationem seminis in Northayfeld ix qr. per tallagium contra eundem sic super acram ij bu. di. minus in toto di. bu. Et liberati ad mixturam famulorum inferius ij qr. vj bu. di. In vendicione infra xij qr. vij bu. Et pro avantagio ad idem v bu.

Summa que supra. Et eque.

Ordeum } Et de lxxviij qr. ordei mensura rasa respondit de toto exitu grangie ibidem hoc anno. Unde trituratis et vannatis per opera mensura rasa xx qr. iiij bu. Et per famulos secundum mensuram supradictam lvij qr. iiij bu. Et pro avantagio ad idem ij qr. vij bu.

Summa iiij^{xx} qr. vij bu.

[1] Furrows.

Inde in semine super xxiij acras dimidiam terre per estimationem seminis in Hoomfeld hoc anno xj qr. vj bu. per tallagium contra eundem sic capiens acra iiij bu. In vendicione infra lxvj qr. Et pro avantagio et cumulo dato ad idem iij qr. j bu.

Summa que supra. Et eque.

Drageum } Et de ix qr. iiij bu. drageti mensura rasa respondit } de toto exitu grangie ibidem hoc anno trituratis per famulos. Et pro avantagio ad idem iij bu. di.

Summa ix qr. vij bu. di.

Inde in vendicione infra ix qr. iiij bu. Et pro avantagio dato ad idem iij bu. di. Summa que supra. Et eque.

Avena } Et de iiij^{xx} viij qr. ij bu. avene mensura rasa respondit } de toto exitu grangie ibidem hoc anno ultra vesturam ij rodarum ejusdem exitus liberatam famulis manerii et messori ex consuetudine anno precedente. Unde trituratis et vannatis per opera mensura rasa xxxvij qr. v bu. per famulos eadem mensura xl [iij?] qr. v bu. Et pro avantagio secundum ix bu. pro quarterio v qr. iiij bu. Et ad tascham eadem mensura vj qr. Et pro avantagio ad idem vj bu. Et de vj bu. ejusdem exitus per estimationem in lx garbis liberatis pro sustentatione iiij vitulorum ad staurum Domini reservatorum. Et de xv qr. iiij bu. de toto residuo ejusdem exitus per estimationem in m^{l} ij^{c} xl garbis liberatis equis carectariis et stottis manerii loco sue prebende ut patet per dietam inferius hoc anno. Et de j bu. avene de mutuo novi grani. Summa c^{m}x qr. vij bu.

Inde in semine super iiij^{xx} viij acras dimidiam terre per estimatione seminis in Northayfeld hoc anno xxxiij qr. j bu. per tallagium contra eundem sic super acram iij bu. minus in toto di. bu. In farina facta pro potagio famulorum hoc anno j qr. iiij bu. In prebenda ij equorum carecturum a festo Michaelis usque Gulam Augusti per vices prout laborabant per estimationem in cl garbis hoc anno j qr. vij bu. In prebenda xij stottorum ad scasoniam frumenti prout laborabant per estimationem in cc garbis hoc anno ij qr. iiij bu. In prebenda eorundem a xx^{o} die Januarii usque x^{mum} diem Maii videlicet per ex noctes per estimationem in viij^{c} iiij^{x} x [i.e. iiij^{xx}] garbis hoc anno xj qr. j bu. capientium qualibet nocte inter se viij garbas plus in toto ij garbas. In sustentacione iiij vitulorum ad staurum Domini reservatorum hoc anno per estimationem in lx garbis eisdem liberatis supra vj bu. In vendicione hospicio Domini infra xj qr. iiij bu. Et pro avantagio ad idem j qr. iij bu. di. In vendicione in patriam xxxix qr. v bu. Et pro avantagio ad idem secundum ix bu. pro quarterio et xxj qr. pro xx vij qr. di. bu. Liberati Simoni Waren pro perdicibus ex precepto Thesaurarii Hospicii Domini ij bu. In prebenda stottorum cariantium unam petram molarem pro molendino de Cantabrigia usque Anesty j bu. novi grani. Summa que supra. Et eque.

Multura molendini } Et de vj qr. iiij bu. multure molendini sic dimissi Ricardo molendinario } hoc anno et non plus propter defectum petre molaris.

Summa vj qr. iiij bu.

Inde liberati ad mixturam famulorum inferius vj qr. ij bu. Et allocati eidem Ricardo molendinario pro tempore quo molendinum quassatum fuit per magnum ventum ac eciam stetit ociosum tempore reparacionis ij bu. Summa que supra. Et eque.

Et de xxv qr. v bu. di. frumenti ij qr. vj bu. di. pisorum vj qr. ij bu. mixture molendini respondit supra pro liberatione famulorum. Summa xxxiiij qr. vj bu.

Mixtura famulorum } Inde in liberationibus unius carectarii iiij famulorum carucariorum et unius bercarii per annum quolibet eorum capiente per mensem iij bu. unde ij partes frumenti et iij[a] pars mixture molendini et quum blada molendini desunt j bu. frumenti et ij bu. pisorum mixti loco ejusdem xxix qr. ij bu. In liberatione unius messoris tempore seminis et xl[e] et per viij[e] septimanas in Autumpno hoc anno capiente ad quamlibet seasoniam vj bu. et in Autumpno vj bu. ex consuetudine ij qr. ij bu. unde ij partes...supra. In liberatione unius firmarii vaccarum qui est eciam in loco unius daye per annum iij qr. ij bu. frumenti capiente j qr. frumenti ad xvj septimanas. Summa que supra. Et eque.

Seminantur ibidem cum diversis generibus bladorum hoc anno supra ccxx acre. Summa ccxx acre.

Acre seminate } Inde in liberationibus famulorum manerii ex consuetudine pro firma unius vacce pro eis conducte pro lacte inde habendo vestura j rode frumenti et j rode avene hoc anno et vocantur cowrods. Et liberata messori pro sotulis[1] suis in autumpno ex consuetudine vestura unius rode frumenti et j rode avene hoc [anno] et vocantur Veewrod. Et metebantur per opera Autumpnalia inferius xxxij acre per precarias siccas lxviij acre pro denariis infra iiij[xx] x... acre di. Et per famulos xxiiij acre di. Summa que supra. Et eque.

Equi carectarum } Et de ij equis carectarum de remanentibus. Summa ij. Et remanent ij equi carectarum.

Stotti } Et de xij stottis de remanentibus. Et de iiij provenientibus per escactam causa felonie quam Radulphus Reymound fecit ut patet per Rotulum Curie. Summa xvj.

Inde in vendicione infra mensem Junii. Et liberati Johanni Ode ex precepto Auditoris. Summa iij. Et remanent xiij stotti.

Taurus } Et de j tauro de remanente. Summa j. Et remanet j taurus.

Vacce } Et de xv vaccis de remanentibus. Summa xv. Et remanent xv vacce.

Bovetti et juvence } Et de iiij bovettis de remanentibus. Et de iij juvencis de adjunctione juvenculorum inferius. Summa vij.

[1] A plainly written but unintelligible word; *vitulis* is a tempting emendation.

Inde in vendic*ione* infr*a* mens*em* Octobr*is* iiij bovett*i*. Sum*ma* iiij. Et rem*anent* iij juvence.

Bovic*uli* et juvencule } Et de iij juvencul*is* de rem*anentibus*. } Et de j boviculo et ij juvencul*is* de adjunct*ione* vitul*orum* annal*ium* inferi*us*. Sum*ma* vj.

Inde in adjunct*ione* cum juvenc*is* *supra* iij juvencule. Sum*ma* iij. Et rem*anent* j bovicul*us* et ij juvencule.

Vitul*i* de ex*itu* } Et de iiij vitul*is* de rem*anentibus*. Et de } iiij vitul*is* de ex*itu* empt*is* de firm*ario* vaccarum ex c*onsuetudine* firme sue. Sum*ma* viij.

Inde in adjunct*ione* cum bovicul*is* et juvencul*is* *supra* j vitul*us* mas et ij f*emine*. In mor*ina*[1] mense Octobr*is* ut pat*et* per Rot*ulum* Curie j vitul*us* mas.

Sum*ma* iiij. Et rem*anent* iiij vituli quor*um* ij mas (*sic*) et ij f*emine*.

Cor*ia* cruda } Et de cor*io* uni*us* vituli de mor*ina* *supra*. } Sum*ma* j. Et vendit*ur* infra. Et n*il* rem*anet*.

Auce } Et de j auce (*sic*) et iij auc*is* mar*ibus* de rem*anentibus*. } De iiij auc*is* de redd*itu* ad Gulam Augusti n*il* hic q*uia* tene*bantur* in manu Dom*i*ni et ad firm*am* ut pat*et* in titulo firm*arum* infr*a*. Et de xv auculis de ex*itu* dict*arum* iij auc*arum* mar*ium* per annum ex certa c*onsuetudine* facta per Dominum Roger*um* de Wylesham cum firm*ario* vacc*arum*.

Sum*ma* xix.

Inde in decim*is* data j. In expens*is* famul*orum* ad cor*am* Ripgoos in fine Autumpni ij. In vendic*ione* infra xij.

Sum*ma* xv. Et rem*anent* j auc*a* et iij auce mar*es*.

Capones } Et de xxiiij capon*ibus* de rem*anentibus*. Et de } xxiiij capon*ibus* de fact*ura* pulcin*orum* interius empt*orum* hoc anno. Et de ij capon*ibus* de redd*itu* ad t*erminum* Pasche. Sum*ma* l.

Inde in defect*u* redditus tenementi quondam Nichol*ai* Horsman q*uia* in manu Dom*i*ni et ad firm*am* j capo. In vendit*ione* infra xxv. Sum*ma* xxvj. Et rem*anent* xxiiij capones.

Galli et galline } Et de j gallo et xij gallin*is* de rem*anentibus*. } Et de j gallo et xvj gallin*is* de redd*itu* custumar*iorum* ad Nat*ale* Dom*i*ni. Sum*ma* xxx.

Inde in defect*u* tenementi redditus quondam Joh*ann*is Reymound de Wodestrete tenementi Hacchislond tenementi quondam Joh*ann*is Breustere et tenementi quondam Wilhelmi Longe quod Wilhelmus Dauwe nuper tenuit et reliquit quia ad firmam iiij galline. In defect*u* tenementi voc*ati* Claces tenementi voc*ati* Buntynggs et tenementi quondam Nichol*ai* Horsman iij galline. In vendic*ione* x. Sum*ma* xvij. Et rem*anent* j gallus et xij galline.

[1] Murrain.

Ova } De exitu gallinarum nil hic quia galline ad firmam.
} Sed de iiij^{xx} xv ovis de redditu custumariorum ad festum Pasche. Summa iiij^{xx} xv ova.

Inde in defectu redditus tenementi vocati Hacchislond xv ova tenementi quondam Johannis Reymound de Wodestrete tenementi quondam Johannis Breustere tenementi vocati Buntynggs tenementi quondam Nicholai Horsman et tenementi quondam Thome Ode causa supradicta l ova pro quolibet tenemento x ova. Et pro tenemento quondam Wilhelmi Longe et tenemento vocato Claces x ova pro utroque tenemento v ova. In vendicione infra xx ova. Summa que supra. Et eque.

Pulcini } De pulcinis de exitu gallinarum nil hic quia galline
} ad firmam infra. Sed de xxiiij pulcinis de emptis infra.

Summa xxiiij. Et fiunt in capones. Et nil remanet.

Cyncibrum } Et de j uncia cyncibri de redditu ad terminum
} Sancti Michaelis.

Summa j uncia. Et liberata auditori super compotum. Et nil remanet.

Fenum } Et de feno xj prati de remanente. Et de feno
} xxviij acrarum di. prati de exitu pratorum ad opus Domini falcate hoc anno unde in Selkemeed vij acre di. et in Hoommed xxj acre. Summa feni xxxix acre di.

Inde in decimis datum fenum ij acrarum iij rodarum prati. In expensis equorum carucarum [et] stottorum manerii equorum charectarum equorum senescalli equorum auditoris et aliorum de consilio Domini ibidem supervenienciun hoc anno x acrarum. In vendicione infra fenum xvj acrarum di. In vendicione super compotum fenum iij acrarum prati pro [ix s. j d. *in margin*].

Summa feni xxxij acrarum j rode. Et remanet fenum vij acrarum j rode prati.

Et de ij^{ml} iiij^{c} lxxiiij operibus yemalibus provenientibus de xxviij custumariis inter festum Michaelis et Gulam Augusti videlicet per xliij septimanas et iiij dies quorum vj custumarii quilibet faciens per septimanam iij opera per dies Lune Mercurii et Veneris xvij custumarii quilibet faciens per septimanam ij opera scilicet per dies Lune et Veneris et v custumarii quilibet faciens per septimanam j opus videlicet per diem Lune.

Summa ij^{ml} iiij^{c} lxxiiij opera.

Opera yemalia precium operis ob. } Inde in defectu operum
} vj majorum custumariorum videlicet tenementi vocati Hacchislond tenementi quondam Johannis Reymound de Wodestrete tenementi quondam Johannis Breustere tenementi vocati Buntynggs tenementi quondam Nicholai Horsman et tenementi quondam Thome Ode quia in manu Domini et ad firmam quorum quilibet facit per septimanam iij opera Dcc iiij^{xx} opera pro quolibet tenemento per tempus

predictum cxxx opera. In defectu operum xij tenentium ij^{e} tenure videlicet tenementi quondam Alicie Milward modo dimissi Roberto Tryndeleygh tenementi Andreux modo [dimissi] Mauricio Longe tenementi Verdons modo dimissi Mauricio Wodeward tenementi Roberti le Reue modo dimissi Johanni Longe tenementi Ratelers [modo] dimissi Johanni Parlebien et Wilhelmo Thomas tenementi quondam Ricardi filii Alicie Gayler modo dimissi Johanni Ode tenementi Ruddexs modo dimissi Petro Phippe tenementi Longes modo dimissi Ricardo Andrew tenementi Oldeandreux modo dimissi Johanni Ballard tenementi Claces modo dimissi Mauricio Sothman tenementi quondam Henrici Joye modo dimissi Thome Martyn et tenementi vocati Whelers modo dimissi Johanni Helder [quia] in manu Domini et ad firmam infra m^{l} xliiij opera pro quolibet tenemento per tempus predictum iiij^{xx} vij opera. In defectu operum unius tofti [mi]noris tenure quondam Nicholai Crowe quia in manu Domini et ad firmam xliij opera per septimanam j opus. In defectu operum unius acre terre vocate Ethonsacre causa predicta xliij opera per septimanam j opus. In defectu operum unius tenementi ejusdem tenure vocati Becbes quod Wilhelmus Kene nuper tenuit per opus modo dimissi Ricardo Reymound et ad firmam xliij opera per septimanam j opus. In defectu operum alterius tenementi ejusdem tenure vocati Coupers tenement quod Johannes Milnere nuper tenuit per opera modo dimissi per senescallum Wilhelmo Algood pro iij s. per annum pro omnibus serviciis ut patet per Rotulum Curie de anno Regis Ricardi iij^{o} xliij opera per septimanam j opus. In defectu operum unius acre terre ejusdem tenure vocate Howlotiscroft quod Thomas Ode nuper tenuit per opera modo dimisse per senescallum Domino Johanni Caules rectori pro xviij d. per annum pro omnibus serviciis ut patet per Rotulum Curie de anno Regis Henrici Quarti primo xliij opera per septimanam j opus. In defectu operum unius tenementi ij^{e} tenure vocati Rauenes quondam Alicie Lavender modo dimissi per senescallum Thome Vyne per iiij s. per annum [pro] omnibus serviciis ut patet per Rotulum Curie de anno Regis Ricardi xv^{o} iiij^{xx} vij opera per septimanam ij opera. In allocatione medietatis operum unius tenementi...tenure quondam Mauricii Howe quod Thomas Parker tenet per opus ex consuetudine stipendii sui hoc anno xxxv opera per septimanam ij opera. In allocatione operum iiij minorum custumariorum remanentium ad operandum per iij septimanas festivas videlicet Natalis Pasche et Pentecostes in quibus non operantur xxiiij opera pro quolibet custumario per septimanam ij opera. In allocatione operum dictorum iiij custumariorum pro ix diebus festivis accidentibus super dies suos...videlicet Lucc. Lune Omnium Sanctorum Nicholai Lune Annunciationis Veneris Paraseues Veneris Marci; Lune Baptiste Veneris Magdalene Veneris Jacobi Lune xxxvj opera cujuslibet custumarii pro...die festivo j opus. In allocatione operum dictorum iiij custumariorum falcantium in pratis Domini preter consuetudinem

molemen*norum* iiij op*era* *cujuslibet* eor*um* j opus. In all*ocatione* op*erum* p*ro* eor*um* av*eragio* n*il* hoc *anno* q*uia* nulla feceru*nt*. In xvij qr. ij bu. pis*orum* xx qr. iiij bu. ordei tr*ituratis* et vann*atis* *per* op*era* custum*ariorum* ut sup*ra* c op*era* *pro* singul*is* iij bu. j op*us*. In xxxvij qr. v bu. avene tr*ituratis* et vann*atis* *per* op*era* ut sup*ra* xliij op*era* *pro* singul*is* vij bu. j op*us*. In vendici*one* inf*ra* cvj op*era*. *Summa* que *supra*. Et eq*ue*.

Arrure *precium* operis iiij d. } Et de xvj oper*ibus* arrure *proveni**entibus*** de custuma*riis* et molemen*nis* cum viij caruc*is* suis junctis hoc *anno* ad season*ias* fr*umenti* et xl^{e}. Et de vij oper*ibus* arrure *proveni**entibus*** de eisdem custum*ariis* et molemen*nis* cum vij caruc*is* suis junctis ad scison*iam* war*rectationis*. Et sci*endum* quod quil*ibet* hab*ens* caruc*am* *per* se vel junct*im* arab*it* di. acr*am* ad qua*m*lib*et* scison*iam* *pro* op*eribus* suis *precium* op*eris* iiij d.

Summa xxiij op*era*. Et expenduntur in *terra* Dom*ini* arranda et war*rectanda*. Et n*il* rem*anet*.

Op*era* sarcul*ationis* } Et de xxviij op*eribus* sarcul*ationis* *pro**veni**entibus*** *per* dim*idium* diem de liij custum*ariis* et molemen*nis* quor*um* quil*ibet* de xxxvij custum*ariis* et molemen*nis* *predictis* quil*ibet* fac*it* iij op*era* j molemen*nus* fac*it* ij op*era* et quil*ibet* de xv custum*ariis* et molemen*nis* *predictis* fac*it* j op*us*. *Summa* cxxviij op*era*.

Inde in all*ocatione* op*erum* mess*oris* *pro* offic*io* suo iij op*era*. In all*ocatione* op*erum* xix ten*ementorum* custum*ariorum* in manu Dom*ini* et ad fir[*mam*] titu*lo* op*erum* yemal*ium* lvij op*era* *pro* quol*ibet* ten*emento* iij op*era*. In defect*u* operum v ten*ementorum* minor*is* tenure *videlicet* ten*ementi* Beckes [*quod Ricardus*] Reymound *tenet* ten*ementi* voc*ati* Coupers tenementi *quod* Wil*helmus* Algood *tenet* unius acre *terre* voc*ate* Ethonsacre unius tofti cum j acra *terre* adjac*ente* *quondam* Nichol*ai* Crowe unius crofti cont*inentis* j acram *terre* voc*ati* Howlotes Croft c*ausa* *predicta* v op*era* *pro* quol*ibet* ten*emento* j opus. De iij op*eribus* *pro* uno tofto cum ij acr*is* di. *terre* de Malag*io* voc*ato* Claces existen*te* in manu Dom*ini* *per* sursum reddici*onem* Hugon*is* Blunvyle et Agnetis uxor*is* sue us*que* ad plen*am* et*atem* her*edis* n*il* all*ocatur* hoc *anno* q*uia* Mauric*ius* Wodeward fac*it* *predicta* op*era*. Et sci*endum* q*uod* Mauric*ius* Wodeward fac*it* *predicta* op*era* alternato anno. De iij *op**eribus*** *pro* uno ten*emento* de Malag*io* existen*te* in manu Dom*ini* *per* escaet*am* c*ausa* felon*ie* quam Wil*helmus* Martyn fec*it* n*il* hic nec decetero q*uia* ten*ementum* *predictum* in manu Dom*ini* et ad firm*am* cum op*eribus* et cust*umis* suis. In bl*adis* Dom*ini* sarculandis hoc anno lxiij op*era*.

Summa que s*upra*. Et eque.

Et de viij^{c} iiij^{xx} vj op*eribus* autumpnal*ibus* *proveni**entibus*** de xxviij cust*umariis* inter Gul*am* Augusti accid*entem* die Lune hoc *anno* et f*estum* Mich*aelis* accid*entem* die Jovis hoc *anno* scilicet *per* viij^{o} sept*imanas* et ij dies quor*um* vj de *predictis* cust*umariis*

quil*ibet* faci*ens* per septi*manam* v op*era* scil*icet* per dies Lune Martis Mercurii Jovis et Veneris xvij de custu*mariis* pred*ictis* quil*ibet* faci*ens* per septi*manam* iiij op*era* vide*licet* per dies Lune Martis Mercurii et Vene*ris* ij de custu*mariis* pred*ictis* quil*ibet* faci*ens* per septi*manam* ij op*era* vide*licet* per dies Lune et Vene*ris* et iij de custu*mariis* pred*ictis* quil*ibet* faci*ens* per septi*manam* j opus vide*licet* per diem Lune.

Summa viij^{c} iiij^{xx} vj op*era*.

Op*era* autumpnali*a* *precium* op*eris* j d. } Inde in defe*ctu* } op*erum* vj majo-

rum custumari*orum* vide*licet* tene*menti* Hacchislond tene*menti* Johan*nis* Reymound de Wodestrete tene*menti* quondam Johan*nis* Breustere tene*menti* Buntynggs tene*menti* quondam Nichol*ai* Horsman et tene*menti* quondam Thome Ode *quia* in manu *Domini* et ad f[*irmam*] infra *pro* quol*ibet* tene*mento* per septi*manam* v op*era* ij^{c} lij op*era*. In defe*ctu* op*erum* xiij tene*mentorum* ij^{c} tenure vi*delicet* tene*menti* quondam Milward tene*menti* Andreux tene*menti* Verdons tene*menti* Roberti le Reue tene*menti* Ratelers tene*menti* quondam Ricardi filii Alicie Gayller tene*menti* Ruddoxs tene*menti* Longes tene*menti* Oldandreux tene*menti* Claces tene*menti* quondam Henrici Joye tene*menti* Ravenes et tene*menti* Whelers *quia* in manu *domini* et ad firmam *pro* quol*ibet* tene*mento* per septi*manam* iiij op*era* iiij^{c} xlij op*era*. In defe*ctu* op*erum* ij tene*mentorum* minor*is* tenure vi*delicet* tene*menti* voc*ati* Coupers Tenement et tene*menti* voc*ati* Beckes *causa* pred*icta* *pro* quol*ibet* tene*mento* per septi*manam* ij op*era* xxxij op*era*. In defe*ctu* op*erum* uni*us* acre *terre* voc*ate* Ethonsacre *causa* pred*icta* viij op*era* per septi*manam* j opus. Et *pro* uno tofto *cum* j acra *terre* adjacente quondam Nichol*ai* Crowe viij op*era* per septi*manam* j opus. Et *pro* uno crofto cont*inente* j acram *terre* voc*ato* Howlotes Croft *causa* pred*icta* viij op*era* per septi*manam* j opus. In allo*catione* op*erum* [*quatuor* *custumariorum*] adhuc operan*cium* *pro* vj die*bus* festi*vis* accid*entibus* super dies suos op*erabiles* hoc anno vide*licet* Laure*ncii* Mercurii Assumpci*onis* Lune Bartholo*mei* Mercurii Exaltaci*onis* Mercurii et Matt*hei* xxiiij op*era* *cujuslibet* *pro* quol*ibet* die festivo j opus. In allo*catione* op*erum* dict*orum* iiij custumari*orum* *pro* ij sicc*is* precari*is* accid*entibus* super dies suos op*erabiles* hoc anno viij op*era* *cujuslibet* *pro* qual*ibet* *precaria* j opus. In xxxij acr*is* di*versorum* bla*dorum* mete*ndis* colligend*is* adjuvand*is* et ligand*is* per op*era* hoc anno lxiiij op*era* sic capi*ens* acram per extentam ij op*era*. In vendici*one* infra xl op*era*.

Summa que *supra*. Et e*que*.

Et de C iiij^{xx} j precariis sicc*is* proveni*entibus* de lvij custumari*is* et molemen*nis* ad ij sicc*as* precari*as* in Autumpno quor*um* xxxiij custumari*i* et molemen*ni* quil*ibet* faci*ens* iiij precari*as* xvj custumari*i* et mollemen*ni* quil*ibet* faci*ens* ij precari*as* et v custumari*i* et molemen*ni* quil*ibet* faci*ens* j precari*am*.

Summa C iiij^{xx} j precari*e*.

Inde in allocatione operum messoris pro officio suo iiij precarie. In allocatione operum xix tenementorum tam majorum quam minorum in manu Domini existencium et ad firmam infra lxvj opera pro quolibet tenemento iiij precarie et non plures quia tenens Breusters facit precarias suas tenens Horsmans et tenementi quondam Thome Ode et tenens Whelers ut molemenni. In defectu operum unius tenementi minoris tenure vocati Beckes quod [*Ricardus*] Reymound tenet causa predicta ij precarie. Et pro uno tenemento vocato Coupers Tenement quod Wilhelmus Algood tenet causa predicta [*ii precarie*]. Et pro una acra terre vocata Ethonisacre causa predicta ij precarie. Et pro uno tofto continente j acram terre adjacente quondam Nicholai Crowe causa predicta ij precarie. Et pro uno crofto continente j acram terre vocato Howlotes Croft causa predicta ij precarie. De j precaria pro uno tofto cum ij acris di. terre de molagio vocato Claces existente in manu Domini per sursum reddicionem Hugonis Blunvyle et Agnetis uxoris sue ut supra nil allocatur hoc anno quia Mauricius Wodeward facit predictam precariam. Et sciendum quod Mauricius Wodeward facit predictam precariam alternato anno. De iiij precariis pro uno tenemento de Molagio existente in manu Domini per escaetam causa felonie quam Wilhelmus Martyn fecit nil allocatur hic nec decetero quia tenementum predictum in manu Domini et ad firmam cum operibus et custumis suis. In lxviij acris diversorum bladorum supra metendis colligendis adjuvandis et ligandis per precarias siccas hoc anno ej precarie pro singulis ij acris metendis et ligandis iij precarie plus in toto j precaria. Summa que supra. Et eque.

III. COURT ROLLS.

The following entries are taken from the records of the court at Winslow in Buckinghamshire; it was a manor belonging to the Abbey at S. Albans, and the records are preserved for a portion of the reigns of Edward III. and Henry VI. in a handsome volume in the Cambridge University Library, Dd. VII. 22.

The longer portions selected are the entries for the hamlet of Granborough in three distinct courts; one in the year before the Black Death, another in the year of the Black Death, and another in the time of Henry VI. The spring court in 1349 dealt with an enormous number of holdings vacated by deaths in that year, though Granborough seems to have suffered much less than the other hamlets in the manor; an extract from the record of the autumn court suffices for purposes of illustration.

The last entry is a memorandum appended to a letting of the lands for rents in 1347. It is instructive as showing an attempt to maintain the collective responsibility of the villagers, so that no individual need be allowed to get into arrears.

1. HALIMOTUM DE WYNSELOWE DIE LUNE PROXIMA ANTE FESTUM SANCTI LUCE EVANGELISTE ANNO XXIJ°. J. BYNHAM[1].

Greneburg'.

Johannes le Longe reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iuxta terram Walteri Taillour' apud le Redebrede. Et dominus concessit predictam terram cum pertinentibus Waltero Geffes tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem, &c.

Johannes de Longe reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iacentem super le Mellehulle iuxta terram dominicam. Et dominus concessit predictam terram cum pertinentibus Isabelle Elyot tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem, &c.

Walterus Perkynes reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iacentem in Blakewelleforlong quam Rosia Adam tenet ad terminum vite. Et dominus concessit predictam terram Johanni Hore tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine ij s. Et fecit fidelitatem. Et est forma talis videlicet quod dictus Johannes Hore habebit vnam dimidiam acram super hidehulle ad terminum vite supradicte Rosie et post decessum dicte Rosie ad supradictum Walterum reuertatur &c.

Radulphus Henries habet licenciam ponendi Galfridum filium suum ad scolas clericales. Et dat de fine xii d.

Walterus Taillour' reddidit sursum in manus domini dimidiam acram terre cum pertinentibus iacentem super Astonehulle quam prius cepit de terris dominicis iuxta terram dicti Walteri. Et dominus concessit predictam terram cum pertinentibus Petro filio Eue Rolfes tenendam sibi et suis in villenagio et ad voluntatem domini per seruicia inde debita et consueta. Et dat de fine vj d. Et fecit fidelitatem &c.

Johannes Hughprest et alicia vxor eius examinata reddiderunt sursum in manus domini vnum cotagium cum curtilagio adiacente iuxta tenementum Johannis le warde et tres dimidias acras terre vnde vne dimidia iacet in le Clayforlong iuxta terram Johannis Percs et alia dimidia acra iacet super le Langelond iuxta terram Johannis Horewode et alia dimidia acra iacet super Eldelayes iuxta terram Willelmi Ponteys. Et dominus concessit dictum cotagium cum curtilagio et terra Johanni Hughprest et Alicie vxori eius ad terminum vite eorum. Et post decessum predictorum Johannis et Alicie predicta cotagia cum curtilagio et terra cum suis pertinentibus remaneant Elene filie predictorum Johannis et Alicie ad terminum vite sue. Et post decessum dicte Elene

[1] f. 48 b.

predicta tenementa remaneant heredibus predictorum Johannis et Alicie tenenda de domino in villenagio et ad voluntatem per virgam[1] per seruicia et consuetudines debita et consueta. Et dat de fine v s. Et fecit fidelitatem &c.

Elena atte halle per licentiam domini dimisit Johanni Martyn duas acras terre ad terminum xl. annorum proxime sequentium post datum istius Curie, sicut iacent super Costouwe iuxta terram Johannis Pieres. Et dat domino pro termino habendo[2] iij s. iiij d.

2. HALIMOTUM DE WYNSELOWE DIE LUNE PROXIMA POST FESTUM SANCTI DIONISII ANNO XXIIJ°. AD WITTENHAM.

Greneburgh'[3].

Willelmus Houprest mortuus est qui tenuit de domino vnum Mesuagium et dimidiam virgate terre cuius heriettum vnus bos precii ij s. Et Johannes filius eius est proximus heres etatis iij annorum. Et ratione minoris etatis commissa est custodia terre et heredis Johanni attewelle tenenda usque ad legitimam etatem heredis per virgam faciendo seruicia et consuetudines. ffinis condonatur propter paupertatem. Et fecit fidelitatem.

Johannes Clerk mortuus est qui tenuit de domino vnum Mesuagium et vnam virgatam terre cuius heriettum vnus bos precii iij s. iiij d. Et super hoc venit Anabilia que fuit vxor dicti Johannis et clamat habere coniunctum statum in dicto Mesuagio et terra. Et super hoc vocat recordum Rotulorum. Et habet diem usque ad proximum.

Johannes Longe mortuus est qui tenuit de domino vnum Mesuagium et v acras terre cuius heriettum j Iuuencus precii viij d. Et Willelmus filius eius est proximus heres qui venit et gersummauit[4] dictum Mesuagium et terram tenendum sibi et suis in villenagio per virgam ad voluntatem domini per seruicia et consuetudines. Et dat de fine xij d. Et fecit fidelitatem.

Willelmus Horewod mortuus est qui tenuit de domino vnam acram et dimidiam terre cuius heriettum vna ouis precii iij d. Et remanent in manus domini pro defectu heredis.

Emma Clerkes mortua est que tenuit de domino vnam acram terre cuius heriettum vnus bouiculus precii xviij d. Et remanet in manus domini.

Willelmus Carpenter mortuus est qui tenuit de domino vnum cotagium et duas acras terre cuius heriettum vna ouis precii iij d. Et remanent in manus domini.

Willelmus Wengraue mortuus est qui tenuit de domino vnum cotagium et duas acras terre cuius heriettum vna ouis precii iij d. Et Ricardus filius Ricardi Wengraue est proximus heres.

[1] The formal entry on a villain's holding.
[2] For having a lease for a term of years.
[3] f. 53 b.
[4] Gersuma, a fine paid on completing an agreement. See above, p. 530 n. 4.

Johannes Hobbes mortuus est qui tenuit de domino vnum cotagium et iiij^{or} acras terre cuius heriettum vna ouis precii iiij d. Et dominus concessit dictum cotagium et terram Isabelle Hobbes tenendo ad terminum vite faciendo seruicia et consuetudines sine vasto saluo iure cuiuslibet. Et dat de fine xii d. Et fecit fidelitatem.

Matilda Hobbes mortua est que tenuit de domino vnum cotagium et tres rodas terre cuius heriettum vna ouis precii iij d. Et Johannes filius Johannis Hobbes est proximus heres etatis vij annorum. Et ratione minoris etatis dominus concessit custodiam cotagii terre et heredis Isabelle Hobbes tenendam usque ad legitimam etatem heredis in villenagio faciendo seruicia et consuetudines. Et dat pro custodia habenda vj d. Et fecit fidelitatem.

Alicia Hobbes mortua est que tenuit de domino dimidiam acram terre cuius heriettum vna ouis precii ij d. Et Johannes filius Johannis Hobbes etatis vij annorum est proximus heres. Et ratione minoris etatis dominus concessit custodiam terre et heredis Isabelle Hobbes tenendam usque ad legitimam etatem heredis faciendo seruicia et consuetudines. Et dat pro custodia habenda vj d. Et fecit fidelitatem.

Johannes Hore mortuus est qui tenuit de domino dimidiam acram terre cuius heriettum vnus vitulus precii iiij d. Et Johanna soror dicti Johannis est proximus heres. que venit et gersummauit dictam terram tenendam sibi et suis in villenagio ad voluntatem per seruicia et consuetudines. Et dat de fine vj d. Et fecit fidelitatem.

Radulfus Geffes reddidit sursum in manus domini vnum cotagium et dominus concessit dictum cotagium Johanni Reynald clerico de Greneburgh tenendum sibi et suis in villenagio et ad voluntatem domini per virgam faciendo seruicia et consuetudines. Et dat de fine xii d. Et fecit fidelitatem.

Radulfus filius Walteri Norton reddidit sursum in manus domini vnum cotagium continentem in longitudine xvj pedes et in latitudine xiij pedes cum curtilagio adiacente. Et dominus concessit dictum cotagium cum curtilagio Willelmo Wyth tenendum sibi et suis in villenagio faciendo seruicia et consuetudines. Et dat de fine xii d. Et fecit fidelitatem.

Johannes filius Radulphi Rolfes mortuus est qui tenuit de domino vnum Mesuagium et vnam virgatam terre cuius heriettum vnus bos precii iiij s. Et Juliana Rolfes amita dicti Johannis est proximus heres que venit et gersummauit dictum Mesuagium et terram tenendum sibi et suis in villenagio ad voluntatem domini per seruicia et consuetudines. Et dat de fine x s.

Juliana Rolfes reddidit sursum in manus domini vnum Mesuagium et vnam virgatam terre cuius heriettum vna cista precii iij d. Et dominus concessit Radulpho Geffes dictum Mesuagium tenendum sibi et suis in villenagio et ad voluntatem domini per

virgam *per* seruici*a* et consuetud*ines*. Et dat de fine xx s. Et fecit fidelitatem.

Tastatores ceruisie *present*a*nt* q*uod* braciat*rices* freger*unt* ass*isam*, ideo in mi*seri*cordi*a* vij d.

Rad*ulphus* de Norton dat d*omi*no vj d ad inquirend*um* de iure suo de vna acra t*erre*.

Joh*an*nes Reynald dat d*omi*no vj d ut inquirat*ur* de iure suo de vno cotag*io* et d*imidi*a acra t*erre*.

Rad*ulph*us fili*us* Rosie Adam dat d*omi*no *pro* licencia se maritandi xij d.

Will*elmus* Scot debet sect*am* et facit defalt*am*, ideo in mi*seri*cordi*a* iij d.

3. HALIMOT*UM* TENT*UM* IBI*DEM* DIE LUNE PROXIMA POST FFESTUM ASSENCI*ONIS* DOMINI ANNO *REGNI REGIS* HENRICI SEXTI QUINTO.

Greneburgh[1].

Jur*ati* present*ant* q*uod* Joh*an*nes Ostage debe*t* sect*am* et fac*it* defalt*am*, ideo ipse in mi*seri*cordi*a*.

Item dic*unt* q*uod* Ric*ard*us Harry et Walterus Harry apud Swanburn Thom*as* Deye et Will*elm*us fili*us* su*us* ib*idem* s*unt* nati*ui* et fugiti*ui* ideo &c.

Prec*eptum* est Roberto Jauyn firmari*o* manerii de Byggyng q*uod* distring*at* Galfrid*um* Kyng filium Rad*ulf*i Kyng per o*mn*ia bona et catall*a* sua vbicu*nque* infra domum fuerin*t* inuenta ad soluend*um* et satisfaciend*um* alic' wyght de Greneburgh quendam annu*um* reddit*um* eidem alic*ie* debit*um*, vid*elicet* iij s p*er* annum pro quadam clausura voc*ata* Colettisclose. quociens et quando dict*us* galfrid*us* in soluc*ione* dicti redd*itus* deficerit, q*uod* p*re*ceptum est, dict*us* Robert*us* dictum Galfrid*um* distr*ingat* de die in diem et distr*icta* capta retinere quousque dict*us* redd*itus* cum arr*eragiis*, siq*ue* fuerunt, eidem et alicie plen*am* fuerit satisfactionem &c.

Dominus concessit Rad*ulph*o eyre sex dimidi*as* acr*as* t*erre* cum j laye, iac*ent* sup*er* Swynehulle extendentes vsq*ue* molend*inum* de Greneburgh. Tenenda sibi et suis a dato istius Cur*ie* vsq*ue* ad finem lx annor*um* pro*xime* sequ*entium* completor*um* in villen*agio* ad volu*n*tatem d*omi*ni p*er* Redd*endo* inde an*nuatim* vj p*ro* omnibus seruici*is* et sect*is* Cur*ie*. Et dat de fine j capon*em*.

Walterus Herry sursum redd*idit* in manus d*omi*ni vnum mes*uagium* et qui*n*que acr*as* et d*imidiam* t*erre* quondam Joh*an*nis Elyot et Alic*ie* vxoris eius vnde dict*um* cotag*ium* situm est inter ten*ementum* Rad*ulphi* wengraue et suoweslane, vna acr*a* et d*imidia* iac*et* inter cultur*am* voc*atam* Millehulle in duab*us* parcellis. J acr*a* iac*et* sup*er* longcroft et d*imidia* acr*a* iac*et* sup*er* Middulfurlong et al*tera* d*imidia* acr*a* est quadam forera[2] iac*ens* sup*er*

[1] f. 10 b.

[2] Forera; a headland or transverse portion at the end of a field; see Scebohm, *Village Community*, 4.

Wydepoleshulle. vna acra iacet apud Blakewelle hegge in ij parcellis et dimidia acra iacet apud almondesmede et alia dimidia acra subtus molendinum domini cuius heriectum in pecunia iij s. iiij d: et dominus concessit dictum cotagium et terram cum pertinentibus Roberto Cawode Tenendum sibi et suis in villenagio ad voluntatem domini per seruicia &c. Et dat domino de fine vj s. viij d &c.

Testamentum Johannis wattes probatum est coram ffratre Roberto Onnesby Cellario et commissario in hac parte, cuius tenor sequitur in hec verba. In dei nomine Amen. Ego Johanna [*sic*] wattes compos mentis anno domini millesimo cccexxvij° condo testamentum meum in hunc modum. In primis lego animam meam deo et corpus meum ad sepiliendum in cimiterio sancti Johannis Baptiste de Greneburgh. Item monachis sancti albani xij d. Item vicario de Greneburgh xij d. Item Clerico eiusdem ecclesie iiij d. Item iiij luminibus eiusdem ecclesie dimidium quarterium brasii. Item ecclesie de wynge xij d. Item agn' lary vnam ollam eneam, potellum et cistam et j coopertorium et j parcellum linthee. Item Margerie lary j ollam eneam, potellum et cistam. Item fratribus de Aylesbury xij d. Item Willelmo Childe filio meo spirituali j bussellum brasii. Et de residuo bonorum meorum non legato constituo Johannem Geffes meum executorem vt ipse disponat bona mea cum adiutorio Johannis Boueton meliore modo quo sciverint deo placere pro anima mea et inde prestet sacramentum in forma iuris.

C. MUNICIPAL LIFE.

I HAVE here grouped several documents which illustrate the rights of burgesses, the trade policy they pursued, and the privileges they desired to possess.

I. CHARTER OF COVENTRY. This Charter was granted by the Earl of Chester to Coventry, and the privileges were subsequently confirmed by Henry II. It has been printed from a transcript in Trinity College Library, *Oo*, 2, 20, which I have corrected, with the kind assistance of the Town Clerk of Coventry, from the original; this is in the possession of the corporation of Coventry and is in beautiful preservation.

It is chiefly instructive because it shows us a city with a good deal of self-government, while there is no mention of a gild, or grant of the right to have a gild; we hear of this right in 1268, as a matter which was then in dispute (Gross, *Gild Merchant*, II. 48). There was a portmanmote, and foreign merchants might be introduced as comburgenses, but these things might exist without any gild merchant. The Coventry Gild Merchant obtained a charter in 1340 and came to be a very important body in the later history of the city, but it does not appear to have been an important element in its earliest municipal life.

¶ Ranul*phus* Comes Cestrie om*n*ibus Baronibu*s*, et Constabulariis, et Ballivis, et ministris, et hominibus et amicis suis fra*n*cis et anglis tam presentibus qu*am* futuris salu*tem*.

Sciatis me Burgensibu*s* meis de Covintr*ie* concessisse et dedisse et hac carta mea confirmasse om*n*ia que in presenti carta scripta sunt, videlicet ut bene et honorifice et quiete et in libero burgagio teneant predicti burgenses et heredes sui de me et de heredibus meis, sicut unqu*am* in tempore patris mei vel aliorum antecessorum meorum melius et firmius et liberius tenuerunt. Omnes autem liberas et bonas leges illis concedo quas burgenses Lincolnie meliores et liberiores habent. Prohibeo et defendo constabulariis meis ne eos aliqua causa in castellum ad placitum ducant sed portmotum suum libere habeant. In quo omnia placita ad me et ad illos pertinentia iuste tractentur. Quemlibet autem ex semetipsis pro me eligant qui sub me super eos iusticia sit, qui leges et consuetudines sciat, et eos meo consilio in omnibus rationabiliter omni causa remota custodiat et mihi jura mea fideliter faciat. Si forte aliquis in misericordiam meam inciderit merciatus sit rationabiliter per ballivum meum et fideles burgenses curie. Quoscumque autem mercatores secum ad ville emendationem adduxerint, precipio ut pacem habeant, et nullus eis injuriam faciat vel injuste eos in curiam mittat. Si vero aliquis extraneus mercator aliquod inconveniens in villa fecerit in portmoto coram iusticia supradicta sine causa illud dirigat. His testibus. *&c.*

II. Customs of London. These are taken from the same vol. (Add. 14,252) as the Assize of Bread printed in Appendix A. They date from the twelfth century and may of course be earlier, so far as a great part of their contents is concerned. The first extract refers to the position of foreign merchants; and the next to a levy of a fifth on moveables. As the London customs were given to Oxford and many other affiliated towns, they are of greater interest and importance than those of later date or of smaller places.

Quedam civitatis consuetudines sive libertates.

6. Si quis forensis hominem civitatis implacitaverit non poterit comprobare eum per forenses nisi alter de civitate sit. Et si homo civitatis forensem implacitaverit qui [*de*] civitate non sit, necque in ea terram habeat, cum testibus eum probare non poterit nisi alter sit de comitatu in quo manet.

11. Mercator foraneus ubi uoluerit in civitate hospitetur, sed ad decisionem merces suas non vendat. Si fusco tinctum[1] attulerit, vel cordewan non minus quam duodenam simul vendat. Pannos de serico vel lana vel lino integros uendat. De cera non minus quam unum quarterium. Foraneus mercator nequit pannum madidum emere vel tincturam facere in urbe, vel opera aliqua quod ad cives pertineat facere, nec a socio suo vel alio in

[1] Dyed cloth.

urbe emere quod ibi iterum revendat. nec plusquam xl dies in adventu suo morari nisi eum impediat morbus aut debitum quod civis ei debeat, unde monstrare et probare possit quod vicecomes et iusticie ei de recto tenendo defecerunt.

12. Mercatores qui londonie redeunt et afferunt pannos de lino et de lano non debent vendere nisi tantum iij diebus in ebdomada, scilicet lune, martis, mercurii, et tunc debent religare trussellos usque in aliam ebdomadam, et facere similiter, si aliquid restat ad vendendum nichilque vendant ad detail.

13. Hospes domus non potest accipere aliquid de cordagio nec de pellibus agninis, nec de aliquibus aliis. Sed si ad mercatum fuerit, vel aliquis pro eo, bene percipiat in marcato ut alius.

14. Mercator foranus nequit transgredi spatium trium miliarum extra civitatem eundi ad feriam vel ad mercatum extra urbem, nec iusticie necque vicecomes eis potest dare licenciam. Et si vicecomes eum ceperit extra civitatem ultra metas illas cum pecunia illa, reducat illos, et cives cum vicecomite pecuniam inter se dividant si vero cives eum ceperint civium sit omnis illa pecunia.

15. Foranus non faciat forchep[1] civi necque cum eo emat vel vendat in civitate nisi civis voluerit.

QUEDAM ASSISA FACTA AD HABENDAM PECUNIAM DOMINI REGIS QUANDO DABANTUR EI M. M. M. MARCIS [*sic*] PRO VICECOMITATU.

Constitutum est quod unusquisque aldermannus et omnes homines de Wardis suis debent iurare quod de singulis xx^ti^ sol. reddituum quos habent ipsi in civitate etc.

Quod in feudo sit, de singulis libris dabunt iiii sol., et de x sol. ij sol., et de v sol. xii d., et de xxx d. vj d., et de xij d. quantum ad hoc pertinebat. Et de redditu hospitum, arundine vel iunco, vel alio quod ubi sit in feudo dabunt de singulis libris ii sol. et sic usque ad xii d. quantum continget. Preterea de suis omnibus catallis et aliis que in manum habent sic in domo iacentibus vel alio mobili catallo ubicunque sit, vel citra mare vel ultra et ubicunque sit, dabunt de libra ij sol., et ita usque ad xii d. quantum pertinebit. Et debent iurare quod pro hac assisa nullum catallum necque in domo neque in aliquibus aliis removerunt, nec remobunt [*sic*] donec ad hanc assisam plenarie prebuerint quantum eis pertinebit. Et de omnibus debitis suis que intelligunt habenda, de quanto intelligunt habere, dabunt quantum de aliis suis catallis, et de redditibus foranis quos tenentur [*sic*] in civitatem et in porsocum qui sint in feudo dabunt iiij sol. de li. sicut prescriptum est, et de aliis qui non sint in feudo secundum quod dictum est superius. Et illud debet computari forensibus in receptione sua, et iurent quod nullum celabunt qui de civitate sit vel per civitatem se aduocet qui hoc sacramentum et adiutorium non faciant, sicut constitutum et provisum est, quin hoc dicant aldermannis et custo-

[1] Forestalling.

dib*us* ciste; fene*ra*tores et fene*ra*trices *non* iurabunt hoc sac*ra*mentu*m*. Omnes sint in*b*reviati q*ui* veniunt ad cistam et q*ui* *non* veniu*n*t; et si q*ui* volunt iurare q*uo*d non h*a*bent xii d. nec in reddi*tu* *vel* catallo demonstre*tur* hoc maiori et civibus: et ipsi hoc emendabunt. Unusq*uis*q*ue* iuret *pro* se et p*ro* uxore et pue*ris* suis et det p*ro* illis q*uan*tum illis p*er*tinet; vel si mavult veniant illi cora*m* maiore et civib*us* et iurent p*ro* se ipsis et solvant. Et b*e*ne defendant omnes alde*r*manni*i* omnib*us* de Wardis suis, q*uo*d nullus exeat a civitate nec*que* viam d*o*mini nec alibi donec se et suos de hac assisa aq*ui*etet. Si q*uis* a*utem* hor*um* faciat aliud, faciat eum inbreviari, et tradat maiori et ce*te*ris q*ui* omnia sua terras et catalla capiat ad op*us* civitatis. Et omnis femina q*ue* m*er*candisam faciat, simili*ter* q*uo*d *per* se sit, et manifeste hoc agat.

III. Recovery of Arrears of Rent. When any tenant fell into arrears of rent the burgh authorities would sanction setting a stake up in front of his house (Lyon, *Dover*, II. 275), and after a certain lapse of time, the owner might recover the tenement. The extract from the proceedings of the Reading portmote in 1290 occurs by itself in a volume (Camb. Univ. Library, Dd. ix. 38) which formerly belonged to the Abbey there, and which contains several of the documents about the conflict between the towns and monks, which are printed by Coates and by Gross (*Gild Merchant*, II. 202—207).

De Stachia.

Consideratu*m* e*st* *per* totam co*mmuni*tatem Burgi Radyng' q*uo*d o*m*nia tene*menta* q*ue* recuperan*tur* *per* stachiam p*ro* arreragiis reddituu*m* ad min*us* quatuor annor*um* q*uo*d ea recuper*entur* sub hac forma semp*er* hucusq*ue* vsitata videli*cet* q*uo*d quiscunq*ue* do*m*inus fuerit qui aliquem redditum i*n* quocunque tenemento habue*r*it illum redditum calumpniabit q*uando* *per* considerationem curie stachia debeat figi et *nisi* fece*r*it clamium suum tam de redditu quam de tene*mento*, amittat i*n* p*er*petuum. Sic p*atet* i*n* *record*o de portesmoto tento i*n* vig*ilio* apo*sto*lor*um* Symonis et iude *anno* *regni* *regis* *Edwardi* primi p*ost* conquestu*m* xviij°.

The rule here laid down was apparently intended to aid the lessors in recovering their property; it may be compared with the provisions that were made for enforcing payments from tenants in arrear by the *Statute of Gloucester*, c. 4 (1278) and 13 Ed. I. c. 21 (1285).

IV. Instructions for Italian merchants trading in London. These instructions are taken from *La Pratica della Mercatura* of Francesco Balducci Pegolotti of the Company of the Bardi in Florence. This is a merchant's guide to commercial practice in all the principal depots of Europe and the Mediterranean. This book was written about 1315 (Peruzzi, *Storia del Commercio e dei banchieri* 71). It was printed by Pagnini in the third volume of his *Della Decima e delle altre Gravezze in*

Firenze. The original is much contracted and somewhat archaic in form. I have thought it more convenient to reprint Pagnini's transcript, rather than to attempt to reproduce the peculiarities of spelling, &c. in the MS.

Londra d' Inghilterra per se medesimo.

In Londra d' Inghilterra si ha di più maniere pesi, e misure, ai quali, e alle quali si vendono, e comperano le mercatanzie, come dirà quì appresso, e innanzi ordinatamente.

Lana si vende in Londra, e per tutta l' Isola d' Inghilterra a sacco, di chiovi 52. pesi per uno sacco, e ogni chiovo pesa libb. 7. d' Inghilterra.

Pepe, e gengiovo, e zucchero, e cannella, e incenso, e lacca, e tutte spezierie si vendono in Londra a centinajo di libb e pesasi in grosso, e dassi libbre 104. per uno centinajo.

Mandorle, e riso, e cera, e stagno, e allume, e ferro, e tutte cose grosse si vendono in Londra a centinajo, di libbre 112. per uno centinajo, e pesasi con bilance, che sono più dure, che quelle, ove si pesa la spezieria, da 2. per 100. ma tutto dee essere una bilancia.

Seta cruda si vende in Londra a libbre d' once 18. per una libbra.

Seta tinta vi si vende a libbre d' once 15. e mezzo per una libbra.

Canovacci vi si vendono a cento d' alle 120. per 1. cento, e di 5. quartieri l' alla.

Zendadi vi si vendono a pezza di braccia, di braccia 30. di Lucca la pezza.

Piombo vi si vende a ciarrea, e ogni ciarrea si è di peso la montanza del peso in somma di 6. sacca peso di lana, di chiovi 52. per 1. sacco, e di libbre 7. per 1. chiovo.

In Londra si ha 2. maniere di pesare argento, cioè il marco della Zecca della Torre di Londra, che è appunto col marco di Cologna della Magna, e l' altro si è il marco degli Orfevori, cioè degli Orafi di Londra, che è più forte, e più grande marco, che quello della torre sterlini 5. e un terzo di sterlini 20. per 1. oncia, e d' once 8 per 1. marco.

Al marco della Torre di Londra si vende, e compera tutte maniere d' argenti in piatte, o in verghe, o in monete, o in buglione per disfare, e nullo uomo, nè cittadino, nè forestiere non osa tenere cambio per cambiare in Londra altri che 'l maestro della Zecca della Torre di Londra.

A marco degli Orfevori si vende, e compera tutte vasella, e cose d' argento, che l' uomo avesse a trafficare con gli Orfevori.

Ispendesi in Inghilterra una moneta d' argento, che si chiamano sterlini, che sono di lega d' once 11. d' ariento fine per libbra, e battene la Zecca d' Inghilterra di 3. maniere, che l' una maniera si chiamano denari sterlini, che ne vanno in una libbra peso, come escono della Zecca soldi 20. a conto, o soldi 13. denari 4.

a conto per 1. marco; e l' altra moneta sì si chiamano medaglie sterline, che le 2. vagliono, e si spendono per 1. denaro sterlino, ed entrane in una libbra, come escono della Zecca soldi 40. a conto, e soldi 26. denari 8. in uno marco, e l' altra moneta sì si chiamano sterlini, che gli 4. de' detti sterlini si mettono per 1. denaro sterlino, ed entrane in una libbra, come escono della Zecca soldi . . . denari . . . . a conto in uno marco: e tutte a tre maniere sono d' una lega d' argento, e nulla altra moneta nè d' oro, nè d' ariento, nè piccioli non si spendono, nè hanno corso in Inghilterra.

Diritto, e spese di panni, che si paga a chi gli mette in Londra.

Per carriaggio, cioè al molo, ove si discarica di nave in terra alla riva di Tamigia denari 1. sterlino per balla.

E per lo Visconte della villa di Londra denaro 1. sterlino per panno.

E per gli misuratori della villa di Londra denaro 1. sterlino per panno.

E per muraggio del molo di panni di colore, o mellati denari 2. sterl. per panno.

Diritto, e spesa, che ha lana a trarnela del Porto di Londra per portarla fuori d' Inghilterra.

Primieramente per costuma allo Re soldi . . . . sterl. per sacco a peso di costuma, cioè quello, che co' costumieri del Re trovano, che pesa allo loro peso, quando lo pesano per prendere la costuma, cioè il diritto del Re, e comunalmente fanno largo peso da . . . . chiovi per sacco al profitto del mercatante.

E per cortesia a' cherici della detta costuma, cioè agli scrivani per lo cocchetto, cioè per la lettera suggellata del suggelo della costuma, per la tratta in somma a tutta la quantità d' uno mercatante da 3. in 4. sterlini.

E per diritto de' Visconti di Londra den. 5. per sacco, e più in tutto den. 1. sterlino, e per vino a' cherici, cioè agli scrivani del Visconte a tutta la somma den. 2. in 3. sterlini.

E per pesaggio al pesatore della costuma un mezzo sterlino per scarpigliera.

E per gli baramanni, che traggono le sacca della lana dell' ostello, e mettolle sul carro un mezzo den. sterlino per iscarpigliera.

E puotesi ragionare, che comunalmente tutte le sopradette spese sieno a tutti gli altri porti d' Inghilterra, onde si tragga lana dell' Isola d' Inghilterra.

E per gli baramanni, cioè per gli bastagi del peso, che la pongono, e levano del peso, quando si pesano per gli costumieri del Re, a tutta la quantitade in somma denari 2. in 3. sterlini.

Seta, zafferano pagano d' entrata a metterle in Londra un mezzo den. sterlino per libbra.

Come il peso, e la misura d' Inghilterra torna in più terre del Mondo, e quelle con Londra, e primieramente, con Anguersa di Brabante.

Libbre 100. di Londra fanno in Anguersa libb. 100. di spezieria.

Libbre 78. di seta al peso di Londra fa in Anguersa libb. 100.

Con Parigi.

Libbre 100. di Londra fanno in Parigi libb. 96. in 97.

Libbre 4. di seta al peso di Parigi fanno in Londra libb. 3. di seta.

Carica una di spezierie di Parigi fa in Londra libb. 364.

Londra in Inghilterra con Camo in Normandia.

Alle 100. di canovaccio alla misura di Camo, fanno in Londra *alle* 95. e mezzo a misura di canovaccio, che è 5. quartiere l' *alla*, come debbe essere a tuttuna misura, ma diviene, perchè a Londra in Inghilterra fanno più larga misura, che a Camo.

Con Aguamorta di Provenza.

Per ispese di lana a conducerle da Londra d' Inghilterra ad Aguamorta in Provenza a uno sacco di lana, che se ne fanno due balle, che sono una carica, cioè una soma di mulo, che dee essere 4. cantara di Provenza, che sono da libbre 500. di Firenze.

Primieramente per nolo di Londra fanno a Liborno in Guascogna den. 12. sterlini per balla monta la soma soldi 2. sterlini.

Per ludimannaggio un mezzo den. sterlino per balla, monta alla soma den. 1. sterlini.

E per guindaggio a' marinieri della nave, quando si carica a Liborno della nave un mezzo sterlino per balla, monta alla soma den. 1. sterlino.

E per salaro della guama, che vi viene suso di Londra a Limborno den. 1. sterlino per balla monta, alla soma den. 2. sterlin.

E per la costuma di roani sopra Gironda den. 1. sterlin. per balla monta alla soma den. 2 sterlini.

Somma le dette 5. partite sol. 2. den. 6. sterlini alla soma di sol. 3. sterl. 1. fior. d' oro.

Anche per ispese di conducere Lana dallondra adaquamorta.

E per la costuma di borgo in Guascogna sol. 1. den. 8. per balla monta alla soma sol. 3. den. 4.

E per la costuma di Vara den. 3. bordellesi per carica.

E per la costuma di Fronzacco appresso di Limborno denari 3. bordellesi per carica.

E per la costuma di Limborno den. 2. bordellesi per carica.

E per discaricarla della nave a Limborno, e per portarla all' ostello, e pesarla, e a pilalla nell' ostello in somma den. 8. tornesi piccioli per carica.

E per due fune per legare le duc balle ciascuna per se a Limborno in somma den. 8. tornesi.

E per ostellaggio, e travaglio dell' oste in Limborno, che le riceve, e manda da Limborno, e Monpelieri sol. 1. per balla monta alla soma sol. 2. tornesi.

E per vettura, e per pedaggio da Limborno a Monpolieri in somma alla carica da sol. 50. in 60. di tornesi, puotesi ragionare a comunal pregio lir. 2. sol. 15. di tornesi la carica.

E per ostellaggio dell' oste di Monpolieri, che le riceve, e manda a tutte sue spese di Monpolieri, ed Aguamorta sol. 2. denari 1. per balla, monta soldi 4. denari 2. tornesi alla carica.

E per lo diritto della chiaveria d' Aguamorta sol. 5. tornesi per carica.

E per la tratta del Re di Francia sol. 30. per carica di lana, e sol. 50. per carica d' agnellina, toccane alla lana soldi 30. tornesi.

E per ostellaggio dell' oste d' Aguamorta, che la riceve in casa sua in Aguamorta, e poi la conduce, e carica a tutte sue spese di bastagi, e di coppani infino messe in galea nel porto d' Aguamorta sol. 1. den. 4. per balla, monta sol. 2. den. 8. per soma.

Somma per tutte le spese scritte da quì in suso, e d' allato lir. 5. sol. 3. den. 6. di tornesi piccioli 1. fiorino d' oro, den. 8. bordellesi di sol. 16. uno fiorino d' oro.

Somma per tutte le spese d' Inghilterra ad Aguamorta da quì in suso, e adietro.

Lire – sol. 2. den. 6. sterlini d' argento di sol 3. uno fior. d'oro.

Lire – sol. – den. 8. bordellesi di sol. 16. uno fior. d' oro.

Lire 5. sol. 3. den. 6. tornesi piccioli di sol. – uno fior. d'oro.

Che in somma si può ragionare che sieno da fior. 9. d'oro alla soma.

V. PRIVILEGES DESIRED IN OTHER TOWNS. The following extract from the Staple Rolls (27—50 E. III. m. 11) among the Tower Records in the Record Office is of interest in many ways; it is dated 1359, and shows that English merchants continued to frequent foreign marts despite the disadvantage to which they were put by the removal of the staple to England. It also shows us a group of merchants of the staple who were not organised for fiscal purposes, but for mutual protection and the regulation of trade. The

extract thus gives a warning against assuming that the fiscal arrangements were so rigid, or the laws so strictly enforced as we might have supposed. It is followed by a license addressed Universis et singulis mercatoribus regni nostri Anglie, granting leave to elect a governor (custos libertatum mercatorum in partibus Flandriæ)—a privilege for which they had urgently petitioned. On the whole this group of merchants dealing in a staple commodity in Flanders, occupied a position closely resembling that of the Merchant Adventurers fifty years later. The charter of privileges granted by Louis le Mâle (26 Feb. 1359) and referred to in the body of this document has been printed by Varenbergh (*Hist. des Relations*, 447).

Le roi a touz ceux as queux cestes l*et*tres vendront saluz. Coment q*e* entre autres choses en les ordinances de noz estaples establiz nadgaires en n*o*tre roialme Dengleterre soit contenuz q*e* nul des marchauntz de n*o*tre dit roialme s*ur* forfaiture ne passast p*ar* de la oue leines quirs ou peaux lanutz. Nientmeins, puis oue bone deliberation oue g*r*antz et autres de n*o*tre conseil p*ur* commun p*ro*fit de nous et de n*o*tre dit roialme si g*r*antames et donasmes congie a noz auantditz marchantz quils puissent passer p*ar* de la oue lour dites leines quirs et peaux p*ur* un temps, paiant a n*ous* les custumes et subsides ent dues. Et p*ar* cause q*e* la moinoie es p*ar*ties de Flandres feust g*r*andement empire et les pris des leines molt amenusee p*ar* tant q*e* noz ditz marchauntz nauoient mies leur franchises illoeqes tiels come ils ont en deuant ces heures, si envoiames nadgaires noz messages oue noz l*et*tres especiales a les trois bones villes de Flandres, en requerant eux qils vousissent soeffrir noz ditz marchantz auoir leur franchises auantdites, sur quoi le comte de Flaundres p*ar* co*m*mun assent de sa t*er*re et especialment a la requeste de ses bones gentz de la ville de Brugges ad g*r*aunte a noz ditz marchantz qils puissent auoir et user souz la gou*er*nance dun gou*er*nour toutes les fraunchises et lib*er*tees qils soleient auoir asoun temps passe, nient contre esteant q*e* les estaples sont tout outrement dep*ar*tiz hors de le dit paiis de Flaundres, et mis en n*o*tre dit Roialme Dengleterre, come en une chartre ensealle du seal du dit Comte et du seal de la dite ville de Brugges a nous envoie p*ar* noz ditz messages plus pleinement est contenu, et s*ur* ceo eons donc congie et poer a noz ditz marchantz p*ur* noz l*et*tres patentes a durer a n*o*tre volunte delire ent*re* eux vn gou*er*nour conuenable a toutz les foitz q*e* lour plerra et mester soit p*ur* tenir entre eux en la ville de Brugges lour congregations et assembles a fin qils peussent auoir et enioier lour franchises et priuileges, issint a eux de nouel g*r*auntees par le Comte de Flandres, si q*e* p*ar*mi lour assembles et congregations ne p*ar* autre cause noz ditz estaples establiz en n*o*tre dit roialme Dengleterre ne soient emblemiz, enpirez nendamages p*ar* nulle voie. Et q*e* nulle ordinance ne comune soit faite p*ar* les auantditz gou*er*nour et co*m*paignie en la dite ville de Brugges ne aillours pur destourber noz marchantz ne lour

vallettes ou servantz, qils ne peussent franchement et peisiblement vendre et achater lour marchandises a queles hours qe lour plerra et a qecunqes persons ou ils verront meutz lour profit sanz destourbances ou enplechemente de nulle. Nous a fin qe nous soions le meutz serui de noz custumes des leynes quirs et peaux lanuz, qe serront amenez hors de notre dit roialme, volons qe des leines quirs et peux lanutz quant ils serront charges et les custumes ent dues paiez, soient les lettres de coket endentez prentre les custumers et mestres des ditz niefs, et qe lune partie soit seale de notre seal de coket, et lautre partie du seal des mestres des niefs, issint qe les dites custumers la partie de lendenture seale du seal des ditz mestres demurante denvers eux eient a notre Escheqer sur lour acompt et les ditz mestres des niefs lautre partie de la dite endenture seale de notre seal de coket demurante denvers eux quant ils vendront as dites parties des Flandres, liuerent et baillent au dit gouernour pur faire le serche illoeqes, a fin qe si nulles leynes quirs ou peaux lanutz soient trouez nient cokettez ou nient custumez, soient forfaitz a nous ensemblement oue les niefs en quelles ils serront trouez, le quele gouernour enuoiera les parties de les dites endentures quelles ils auera issint receu des ditz mestres, ensemblement oue les nouns de ceux qe aueront passe les leines quirs et peaux a lescheqer Dengleterre a fin del an des queux forfaitures des leines quirs et peaux volons qe lune moite demuerge devers nous et qe le dit gouernour eit lautre moitie pur son serche et trauaille la forfaitures des niefs entierment a nous sauuez. Du tesmoignance de quele chose nous auons fait faire cestes noz lettres ouertes. Doun souz notre grand seal a Westminster le premer iour de Juyl lan de notre regne Dengleterre trentieme tierz et des France vintisme. Per ipsum Regem et consilium.

VI. London Companies in the time of Henry VIII. Mr I. S. Leadam has called my attention to the following account of a dispute between the London Weavers and a Grocer; it led to proceedings in the Star Chamber in the Hilary Term in the 21st year of Henry VIII. It has been preserved in the Record Office (*Star Chamber*, Bundle 19, No. 266) and serves to illustrate several interesting points: (1) The claim of a grocer to change his trade and set up as a weaver,—a claim which was allowed by the City Authorities; (2) the position of the Weavers' Company which was still fiscally independent of the rest of the city and paid their own ferm to the King; the point in dispute was not as to the qualifications of the Grocer, but as to his contribution to the Weavers' ferm. It thus appears that the Weavers were not quite on the footing of the other municipal gilds, but were distinct for fiscal purposes. The special provision for the widows of weavers and their houses noted on p. 352 above, may have had reference to these special fiscal arrangements; (3) the Mayor was evidently anxious to establish his complete authority over this gild, so that the memory of their independence survived as a

practical thing. It is also noticeable (4) that Richard Lee was a capitalist employer, and that the Weavers' Company took no exception to the manner in which he was organising his business.

In most humble wyse compleyneth & sheweth vnto your highnes your true and faithfull Subgettes and liegemen Robert Hill and Thomas Darger Baillifes of the Gyld of the Weuers of london..... the body of the ffelysship of the same Gyld. That whereas the same Baillifes and ffelisshipes and their predecessours haue helde & holdene the seid Gyld from the tyme wherof no mynde is the contrarie of the graunte of your noble progenitours kynges of [England].....haue & hold the same of your highness in fee fferme And by alle the same tyme haue paid & vsed to pay to your highnes & your seid progenitours for their seid ffe fferme yerely xxiiij^{s} in your Escheker for that no weeuer but if he was of the seid Gyld shuld intromytte in the seid craft within the citee of London nor in the burgh of Suthwerk. And to haue the sarche & correccion of all differs & myssbehauyng in the same craft and the occupacion & exercise thereof And that no weuer that were not of the seid craft & Gyld shuld resseyue eny threde within the seid citee of eny dwellers of the same for the tyme beyng to be caried to ether places out of the seid Citee there to be wrought or weued as in the same Charter more pleinly apperith. Whiche Gylde & libertas your seid progenitours and their seid predecessours haue peeybly hadde & vsed for the seid fee fferme out of tyme of mynde. And by all the same tyme haue truly content & paid to your highnes & your seid progenitours the seid fee fferme of xxiiij^{s} yerely as it apperith of Record in the seid Eschequer. Neuerthelees gracious soveraigne lord so it is that seid Richard Lee of London grocer contrarie to the Tenour of the seid Charter & contrarie to the vse & priuilege aforseid beyng noone of the seid Gylde ne contributorie to the seid fee fferme hath lately of his wilfull mynde set vp the craft of weevyng & vseth the same in his owne house within the seid citee without any licence assent or aggreament with the seid Baillifes & ffelisshipe contrarie to all ryght and consciens. So that therby & by suche oder mysdoers if they shuld be so suffred the seid Gyld and your seid fee fferme shuld vtterly be decayed & lost ffor the whiche your seid Oratours compleyne theim ayaist the seid Ric. Lee before the barons of your Eschequer And therupone the seid Ric. caused the seid baillifes to be send for to appere before the maire and aldermene of the seid citee. And there wuld haue compelled them to haue bene bounden by reconysaunce to abide the award and direccione of the same maire and Aldermene. And forasmoche as it was then & there openly shewed by the seid maire & aldermen and spoken by the mouth of the Recorder & the Towne Clerk of the seid citee that euery freman of the same citee shulde set vp & vse the seid craft at his pleser without the will assent or aggrement of the seid Bailliffes or ffelisshippe. Whiche if it shuld be so suffred shuld cause the seid Gyld and fee fferme to be vtterly decayed & lost as well to the losse of your

hyghnes as of the vtter vndoyng of your seid Besechers and therfore the seid Baillifes denyed so to be bounden. And because they wuld not ne durst so be bounden the seid maire commytted the seid Robert Hill to ward & there kept hym without bayle or maynprise and in lykewyse wuld haue done to the seid Thomas but that he was so impotent feble & syke that it shuld haue bene to the great ieopardie of his life. And after vppone compleynt therof made to your highnes and your most honorable Counsell It pleased your highnes by the aduyse of your seid counsell to directe your letter to the seid maire for the delyueraunce of the seid Robert. Whiche the seid maire wold in no wyse obey, but send vp the Towne Clerk of the seid citee vnto your highnes and your seid counsell to abandon to coloure & excuse the said mater surmysyng that the said Robert was in for oder causes wherof the contrarie was true. And therupone it pleased your highnes to directe another letter to the seid maire for to delyuer the seid Robert incontynent vpone the sight of the same. And theruppone the seid maire delyuered the seid Robtert at large vppone suertie founden to come ayenst to hym within the space of iij oures and to brynge with hym dyuers of his company to here what direccion the seid maire would take vppone the seid letter. And so the seid Robtert did and brought with hym dyuers of the most sadde & discrete of the seid company. And on their comyng the seid maire at the senyster labour of the seid Lee shewed vnto the seid Robert and his seid company that the same Robert with oder of his company shuld be bounded by reconysaunce to abide the direccion of the seid maire and not to sue ne compleyne in eny oder place or els the seid Robert with oder of his company shuld be committed to ward. And because the same Robert and his company durst not so doe the same maire committed the seid Robert and iij of his seid company to ward and there kept them & yet doth without bayle or maynprise and wuld suffre no man to speke with them but onely their kepers and by the meanes of the seid impprisonement and of the trouble cost & charges that your seid besechers haue bene put to and the losse of their occupacion they be lyke to be vtterly vndoyne but if your speciall grace be shewed to them in this behalfe And allso the seid Gyld vtterly distroyed and our seid fee fferme of 24^{li} by yere vtterly lost. Please it your highnes the premisses graciously considered to commaunde the seid maire by your gracious letters to delyuer the seid Robert & his seid company your oratours out of prisone without delay and to cause the seid maire to appere before your moost honourable Counsail & your highnes to take such further direccion for the examinacion & determinacion of the premisses as shall accorde with right & good consciens and to send for the seid Richard Lee to appere before your highnes & your most honourable Counsell and there to fynde suertie to recompens and satisfie your seid oratours for the seid injuries & wronges done vnto theim by his senyster labour and to haue suche further punysshement as shall accorde with justice & equite and thus at the reverence of

God & in the wey of charite and your seid Oratours shall contynually pray to God for the preseruacion of your most Roiall astate long prosperously to endure.

Termino hillarye A. R. xxi.

Endorsed: Thomas Hyll and Thomas Barger ceptores london cont maiore london & Ricardus Lee de eadem grocerum.

The Answere of Richard Lee to the Bill of compleint of Robert Hill & other Wevers of London.

The said Richard saith that the mater of the said bill is fayned and of no treuth. And the said Richard seith that he set many and diuers ffolkes in werke with spynnyng of wollene yerne and sette on werk the wevers of the Cite of London to weue his clothe—till of late tyme the wevers of the said citee perceyving that the said Richard had grete plente of wollene yerne to weve wold not weve any wollene yerne of the saide Richard except he wolde pay for euery brode cloth v^{s} where they were afore that tyme vsed to take oonly iiij^{s} & not aboue. And the said Richard seith that in the Cite of London amonge diuers other custumes it hath ben vsed oute of time of mynde that euery ffreman enfraunchesed in any crafte or ffelisshipe of the said citee may & hath vsed to occupie the craft of the occupacion of wevers aswell as all other so that they will be contributory to such fee ferme as the felisshipe of wevers bere, and pay yerly to the kinge after the rate of his occupacion of wevynge as by diuers maters of record and otherwise shalbe sufficiently proved. Which custume amonge other hath bene by diuers actes of parliament & otherwise sufficiently auctorised ratefied and confermed. And the said Richard saith that he is and of longtyme hath bene enfraunchised and a freman of the craft or felysshipe of Grocers within the said Citee. And he so being bought ij brodes lomes for weving of cloth and afore he occupied the same he came to the Baillives of the said Wevers and offred and desired them to be contributory to their fee ferme after the rate of his occupacion. And the said Baillives entending to encrese the price of weving of cloth for their owne covetise, and to the comen herte of the kinges subjectes wolde not agre therunto withoute that, that the said Richard hath doone or committed any thinge to the contrarie of the effect of the said Charter or to the losse or dekay of the said ffelisshipe or fee ferme, and withoute that the said Richard is gilty of any vnlaufull demenyng sute or vexacione as in the said bill of complaynt is submytted.

Endorsed:—Ricardus Legh deponit in vim juramenti sui in hac parte prestiti presentem suum responsim fore verum negat cetera singula in billa *quam eum dederint.*

D. THE WOOL TRADE IN THE THIRTEENTH AND FOURTEENTH CENTURIES.

THE subjoined list of monasteries, with the prices of wool at each, is a document which Francesco Balducci Pegolotti incorporated in his book[1]; it is obviously derived from a Flemish source, and may perhaps be regarded as a monument of some effort to divert a larger share of English grown wool to Italy. It may be taken as part of the movement which found expression in the organisation of direct sea-trade between England and Italy, and this probably goes back to near the time when the Umiliati introduced the art of weaving as practised in Flanders into the immediate neighbourhood of Florence (1250)[2]. The letter of Simone Gherardi to Ugo Spini in London in Jan. 1280[3], shows that there was great business activity among Italian wool buyers at that time. The list may be usefully compared with the Flemish documents which have been printed by Varenbergh and Hohlbaum. These are apparently abstracts, while this more elaborate list gives greater detail.

Pegolotti's book was transcribed by Agnolo del Lotto dall' Antella, and a copy of this transcript, which was made, according to the colophon, by Filippo the son of Niccolaio Frescobaldi in 1461, is now in the Riccardian Library at Florence (No. 2441). It is, under the circumstances, not improbable that a certain number of clerical errors have been introduced; the original spelling seems to have been phonetic, e.g. Chondisgualdo for Cotswold. The document has been printed by Pagnini[4], but the present text is not a mere reproduction of that edition as it has been carefully collated with the MS. by Dr E. Rostagno. Peruzzi[5] has given a list of houses—with attempted identifications—but his transcript was much less careful than Pagnini's. A comparison of the identifications of the places in the Flemish lists given by Varenbergh[6], and more recently by Dr Liebermann in the Index to Höhlbaum[7], has been of great assistance to me in trying to interpret this interesting document more accurately. The text is, however, so untrustworthy that there is still a considerable element of mere guesswork; the few cases, where I have ventured on an emendation,

[1] *La pratica della Mercatura.* I am indebted to Mr R. J. Whitwell (*Athenæum*, 23 Aug. 1902) for calling my attention to the source of the materials which I had had before me in a very incomplete form when the second edition of this work was published.

[2] E. Dixon, *Florentine Wool Trades* in *Royal Hist. Soc. Transactions*, N.S. XII. 162.

[3] Pagnini, *Della Decima e delle altre Gravezze*, II. 324.

[4] *Ib.* III. 263.

[5] *Storia del commercio e dei banchieri di Firenze*, p. 71.

[6] *Histoire des relations diplomatiques entre le comté de Flandre et l'Angleterre au moyen âge*, p. 214.

[7] *Hansisches Urkundenbuch*, III. 408.

are italicised. The letters C. *Cistercian*, B. *Benedictine*, A. C. *Augustinian Canons*, G. *Gilbertine*, P. *Premonstratensian*, Cl. *Cluniac* &c., indicate the order to which each house belonged. The list appears to be drawn up with a careful regard to this system of classification, and also with considerable attention to local position. In some doubtful cases of identification I have preferred a house that is distinctly specified in the Flemish list; those mentioned in both lists are distinguished by an asterisk. It must suffice to give Pegolotti's own statement (Cod. 2441, ff. 11^{v}—12^{r}; Pagnini, *op. cit.* III. p. xx) in regard to the different qualities of wool.

Chome viene della falda, vuol dire interra, come viene la lana tonduta di berbicce, cioè della peccora tutto il toxone intero, che non è levato niente.

Bricciata, vuol dire scielta, e ffattone più ragione del toxone della lana.

Buona lana si è la migliore, quando si briscia.

Mojano lana si è la mezana ragione della lana, quando si briscia.

Locchi si è la terza ragione della lana, quando si briscia.

Stecchata vuol dire, levato dal toxone della lana pura le zacchere della lordura della berbiccie appicchata alla lana.

Torce vuol dire lo toxone della lana ripieghato, & arrotolato.

Pungnea (*sic*) vuol dire lo toxone della lana, poi che è brisciata, e apparecchiato si è 'l ruotolo, e ffattone ad modo d' una palla grossa.

§ Inghilterra f. 171.

Inghilterra per lane di magione, e per lane chogliette, e quante lane ciaschuna magione sogliono avere per anno, e quello che ffurono vendute in Fiandra l' anno del .... e quelle magioni, che lle brisciano, sì ne fanno 3. ragioni, cioè la migliore, che ssi dice buona, e mezzana, che ssi dice amonnana (*sic*), e lla meno buona, che ssi dice locchi.

Niobottoli (*Newbottle, Edinburgh*, C.) la buona, marchi 14½, e lla mojana mar. 9. e locchi mar. 7½ il saccho, e ànnone da 30. sacchi per anno.

*Mirososso (*Melrose, Roxburgh*, C.) la buona marchi 16. e lla mojana mar. 10. e llocchi mar. 8½ il saccho, e ànnone da 50. sacchi per anno.

Barmicciacche (*Balnerino* [*Balmerinach*], C.) la buona mar. 10. e lla mojana mar. 7. e llocchi mar. 4. il saccho, e ànnone per anno in somma da 14. saccha.

*Chupero (*Cupar Angus, Perth*, C.) la buona mar. 18½, e lla mojana mar. 10½, e llocchi mar. 9 il saccho, e ànnone da 30. saccha per anno.

*Chilosola (*Kinloss, Elgin*, C.) la buona marchi 15. e lla mojana marchi 11. e locchi mar. 7½ il saccho, e ànnone da 15. saccha l' anno.

Donfermellino (*Dunfermline, Fife*, B.) la buona marchi 13. e lla mojana $8\frac{1}{2}$, e llocchi mar. 6. il saccho, e ànnone da 15. saccha l' anno.

*Dondarnane (*Dundrennan, Kirkcudbright*, C.) la buona mar. 18. e lla mojana marchi $10\frac{1}{2}$, e llocchi mar. 8. il saccho, e ànnone da 15. saccha l' anno.

*Grenellusso (*Glenluce, Wigtonshire*, C.) la buona mar. 18. e lla mojana mar. 11. e llocchi mar. 5 il saccho, e ànnone da 15. saccha per anno.

Balle diruccho[1] (*Roxburgh*)
Ghuldinghamo (*Coldingham, Berwick*, B.)
Ghelzo (*Kelso*, B.)
Norbonucche (*North Berwick*, B.N.)
Sansasano[2]
Grideghorda[3] (*Geddeworth, Jedworth*, A.C.)
Il tenpo di Bratendoccha (*Balantrodoch*)[4]

Chome vengnono della falda, e cchogliette furono vendute in Fiandra al sopradetto anno, cioè ... da mar. 9 insino in marc. $10\frac{1}{2}$ saccho, sichome Simolia[5] e bellebe (*sic*) ricevute dalle dette magione.

Cogliette.

Di Luizenstrj (*Leicester*) la buona marchi 12. saccho.
Di Ledesia (*Leeds*) mar. $12\frac{1}{2}$ saccho.
Del Pecche (*The Peak*) mar. $10\frac{1}{2}$ saccho.
D' Elmetta (*Elmet*) mar. 11. il saccho.
Di Tresche (*Thirsk*[6]) mar. $10\frac{1}{2}$ il saccho.
Di Chondisqualdo (*Cotswold*) mar. 11. saccho.

Cogliette.

Di Granno (*Grantham*) mar. 13. il saccho.
Di Montingamo (*Nottingham*) mar. 11. saccho.
Di Rottolando (*Rutland*) mar. 12. saccho.
Dinponte[7] mar. 10. e mezzo il saccho.
Di Vervicche (*York*) mar. $10\frac{1}{2}$ saccho.

Magioni dell' ordine di Cestello.

*Olcholtramo (*Holm Cultram, Cumberland*, C.) la buona marchi 18. e lla mojana marchi ... e i locchi mar. $9\frac{1}{2}$ il saccho, e ànnone da 40. saccha l' anno.

*Nio Mostriere In orte bellanda (*New Minster, Northumb.*, C.) la buona marchi $17\frac{1}{2}$, e lla mojana mar. 11. e llocchi mar. $9\frac{1}{2}$, e ànnone da 35. saccha l' anno.

*Fornace In norto bellanda (*Furness, Lancs.*, C.) la buona marchi

[1] Mr J. Edwards suggests Roxburgh bales, and calls attention to the form of the name used by the moneyer, Hugo on Roch. (Innes, *Origines Parochiales Scotiae*, I. 466.)

[2] Mr J. Edwards suggests the Cistercian Abbey of S. Servan's or Culross. Skene *Celtic Scotland*, II. 257.

[3] I am indebted to Mr Edwards for this identification. Compare Innes *op. cit.* I. 366.

[4] Chalmer's *Caledonia*, II. 76, 812. The list is presumably earlier than 1312 when this house was transferred to the order of S. John.

[5] This is apparently the port of shipment.

[6] I am indebted to Mr Whitwell for this suggestion.

[7] There are no sufficient data for identification.

18½, e lla mojana mar. . . . . e i locchi mar. 10. il saccho, e ànnone da 30. per anno.

*Chalderea In choppolanda (*Calder, Cumberland,* C.) torcierj mar. 12. il saccho, e ànne 4. per anno.

*Salleo in Chravenna (*Sallay, Yorkshire,* C.) la buona marchi 15. e lla mojana mar. 10. e llocchi marchi 9. il saccho, e ànnone da 16. saccha per anno.

*Giervalese (*Jervaulx, Yorkshire,* C.) la buona mar. 17. e lla mojana mar. 10½, e i locchi mar. 9. il saccho, e ànnone da 50. saccha per anno.

*Fontana (*Fountains, Yorkshire,* C.) la buona mar. 21. e lla mojana mar. 12. e locchi mar. 9. saccho, e ànnone da 76. saccha per anno.

*Biolanda (*Byland, Yorkshire,* C.) la buona mar. 17½, e lla mojana mar. 17½, e i locchi mar. 9. il saccho, e ànnone da 35. saccha l' anno.

*Rivalse (*Rievaulx, Yorkshire,* C.) la buona mar. 17½ e lla mojana mar. 10½, e i locchi mar. 9. il saccho, e ànnone da 60. saccha l' anno.

*Miesa In oldaraese (*Meaux in Holderness, Yorkshire,* C.) la buona mar 15. e lla mojana mar. 9. e i locchi mar. 7½ il saccho, e ànnone da 25. saccha per anno.

*Chirchistallo In ardona (*Kirkstall, Yorkshire,* C.) la buona mar. 20. e lla mojana mar. 10½, e llocchi mar. 9½ il saccho, e ànnone da 25. saccha l' anno.

*Laroccia (*Roche, Yorkshire,* C.) la buona mar. 17. e lla mojana mar. 11. e locchi mar. 7½ saccho, ed ànnone da 20. saccha l' anno.

*Il parcho di Liuia (*Louth Park, Lincs.*, C.) la buona mar. 19. e lla mojana mar. 11½ i° saccho, ed ànnone da 30. saccha l' anno.

*Chiricchistede (*Kirkstead, Lincs.*, C.) la buona mar. 24. e lla mojana mar. 11. e i locchi mar. 9½ il saccho, e ànnone per anno da 40. saccha.

*Revesbi (*Revesby, Lincs.*, C.) la buona mar. 20. e lla mojana mar. 11. e i locchi mar. 9½ il saccho, e ànnone da 40. saccha l' anno.

*Svinsivede (*Swineshead, Lincs.*, C.) la buona mar. 16. e lla mojana mar. 10. e i locchi mar. 8. il saccho, e ànnone da 6. saccha per anno.

*Lavaldio (*Vaudey, Lincs.*, C.) la buona mar. 19½, e lla mojana marchi 11½, e i locchi mar. 10. il saccho, e ànnone 24. saccha l' anno.

*Rufforte in Estierenda (*Rufford in Sherwood, Notts.*, C.) la buona mar. 16½, e lla mojana mar. 10½, e i locchi mar. 10. il saccho, e ànnone da 15. saccha l' anno.

*Gierondona (*Garendon, Leicester*, C.) la buona mar. 18. e lla mojana mar. 10½, e i locchi mar. 9. il saccho, e ànnone da 20. saccha per anno[1].

[1] The head-line to f. 172ᵛ, seems to have been mistaken by Pagnini for the title of a new division at this point.

*Chonbrumera (*Cumbermere, Cheshire*, C.) la buona mar. 21. e lla mojana mar. 13 e i locchi mar. 10½ il saccho, ed ànnone da 6. saccha per anno.

*Crocchestrende (*Croxden, Staff.*, C.) la buona mar. 21. e lla mojana mar. 12. e i locchi mar. 11. il saccho, e ànnone da 30. saccha per anno.

*Lagraziadio (*Grace Dieu, Mon.*, C.) la buona mar. 16. e lla mojana mar. 10. e i locchi mar. 7½ il saccho, ed ànnone da 5. saccha per anno.

*Diolacchrescha (*Dienlacres, Staff.*, C.) la buona mar. 16. e lla mojana mar. 10. e i locchi mar. 8½ il saccho, ed ànnone da 20. saccha l' anno.

*Biliguassi (*Buildwas, Shrop.*, C.) la buona mar. 20. e lla mojana mar. 12. e i locchi mar. 10. il saccho, e ànnone da 20. saccha l' anno.

*Stalleo in Zestri (*Stanlaw, Cheshire*, C.) la buona mar. 18. e lla mojana, e buoni locchi mar 10½, e i grossi locchi mar. 7. saccho, e ànnone da 10. saccha l' anno.

*Morghana (*Margam, Glamor.*, C.) la buona marchi 17. e lla mojana viene, però che non fanno nè mojana, nè llocchi, ma briscialla, 6. pietre per saccho, e ànnone da 25. saccha per anno.

*Nietta (*Neath, Glamor.*, C.) quasi valo altrettanto, e parecchiasi alla medesima maniera, e ànnone da x. saccha l' anno.

*Lantarname (*Llantarnam, Mon.*, C.) lo saccho di due pesi mar. il saccho, ed è grossa chosa, ed ànnone da 8. saccha per anno.

*Tanterna (*Tintern, Mon.*, C.) la buona mar 28. e lla mojana mar. 15. e i locchi mar. 12. il saccho, e ànnone da 15. saccha per anno.

*Dora (*Dore, Hereford*, C.) la buona mar. 28. e lla mojana mar. 15. e i locchi mar. 14. il saccho, e ànnone da 16. saccha per anno.

*Istanforte (*Ystrat Marchel, Montgom.*, C.) marchi 10. i due pesi, e ànnone da 12. saccha per anno.

*Biancilanda (*Alba Landa, Caermarthen*, C.) mar. 10½ saccho di due pesi, e ànnone da 15. saccha per anno.

*Chinchesulda (*Kingswood, Wilts.*, C.) la buona mar. 26. e lla mojana 15. il saccho, e ànnone da 25. saccha per anno.

*Istallea In Gildisire[1] (*Stanlegh, Wilts.*, C.) la buona marc. 19. e lla moiana marc. 12. il saccho ed ànnone da 40. saccha per anno.

Ilchona[2] (*Hilton, Staffs.*, C.) la buona marchi 14. il saccho, ed ànnone da 8. saccha l' anno.

*Bellaugholera (*Beaulieu, Hants.*, C.) la buona mar. 24. e i locchi mar. 15. saccho, e ànnone da 25. saccha l' anno.

*Binendona (*Bindon, Dorset*, C.) la buona mar. 15. e lla mojana mar. 10. il saccho, e ànnone da 20. saccha per anno.

Letteleccia (*Netley* [*Lettley*], *Hants.*, C.) la buona mar. 12. e lla mojana mar. 7½ il saccho, e i locchi mar. 5. ed ànnone da 12. saccha per anno.

*La quarriera dell' Ixola di Ghuccho (*Quarrer, Isle of Wight*, C.)

[1] Omitted by Pagnini and supplied from the MS.
[2] Not Ileona as Peruzzi printed it.

la buona mar. 20. e lla mojana marchi 11. e i locchi marchi 9. e ànnone da 15. saccha per anno.

*Guarverlea (*Waverley, Sussex*, C.) la buona mar. 25. e lla mojana mar. 16. e i locchi mar. 14. il saccho, ed ànnone da 14. saccha per anno.

*Forde (*Ford, Devon*, C.) la buona mar. 15. e lla mojana mar. 10. e i locchi mar. 9. il saccho, ed ànnone da 10. saccha per anno.

Bufeltro in Chornovaglia (*Buckfastleigh, Devon*, C.) la buona mar. 12½, e lla mojana mar. 9. e i locchi mar. 7. il saccho, ed ànnone da 10. saccha per anno.

*Labriuiera di Ghontisgualdo (*Bruerne, Oxon.*, C.), la buona mar. 25. e lla mojana mar. 16. il saccho, e i locchi mar. 13. ed ànnone da 12. saccha per anno.

Muinamo (*Newenhàm, Devon*, C.) la buona mar. 16. e lla mojana mar. 9½ il saccho, et ànnone da due saccha l' anno.

*Pippuelle (*Pipewell, Northants.*, C.) la buona mar. 22. e lla mojana mar. 12. il saccho, e ànnone da 14. saccha per anno.

*Tamo (*Thame, Oxon.*, C.) la buona mar. 27. e lla mojana mar. 17. sterlini il saccho, ed ànnone da 5. saccha per anno.

*Guardona (*Wardon, Beds.*, C.) la buona mar. 16. e lla mojana mar. 10. e i locchi mar. 8. il saccho, ed ànnone da 25. saccha per anno.

*Bettesdellana (*Bittlesden, Bucks.*, C.) la buona mar. 21. e lla mojana mar. 12. e i locchi mar. 10. il saccho, ed ànnone da 12. saccha per anno.

*Chonbo (*Combe, Warwick*, C.) la buona mar. 19. e lla mojana mar. 12. e i locchi mar. 10. il saccho, ed ànnone da 18. saccha per anno.

*Miravalle (*Merevale, Warwick*, C.) la buona mar. 17. e lla mojana mar. 10. il saccho, e non fanno locchi, ed ànnone da 30. saccha per anno.

*Basingguecche (*Basingwerk, Flint*, C.) la buona mar. 17. e lla mojana mar. 11. e i locchi mar. 9. il saccho, e ànnone da 10. saccha per anno.

Frascholea (*Flexley, Glouces.*, C.) la buona mar. 15. e lla mojana mar. 10. e i locchi mar. 8½ il saccho, ed ànnone da 6. saccha per anno.

*Brondislea (*Bordesley, Worc.*, C.) la buona mar. 19. e lla mojana mar. 11. e i locchi mar. 11. il saccho, ed ànnone da 10. saccha per anno.

*Stalleo in Guarvicche (*Stonely, Warwick*, C.) la buona mar. 18 e lla mojana mar. 11. e i locchi marchi 10. il saccho, e ànnone da 10. saccha per anno.

*Uborno (*Woburn, Beds.*, C.) la buona mar. 18. e lla mojana mar. 10. e i locchi mar. 9. il saccho, ed ànnone da 10. saccha per anno.

Bufeltro[1] in Chornovaglia (*Buckfastleigh, Devon*, C.) la buona mar. 12½, e lla mojana mar. 9. e i locchi mar. 7. il saccho ed ànnone da 10. saccha per anno.

[1] A duplicate entry presumably made in error.

Chinna (*Kinner, Merioneth*, C.) la buona mar. 15. e lla mojana mar. 9. e i locchi mar. 8. il saccho, ed ànnone da 8. saccha per anno.

*Salterrea (*Saltrey, Hunts.*, C.) la buona mar. 15. e lla mojana mar. 9. e i locchi mar. 6½ il saccho, ed ànnone da 7. saccha per anno.

*Bocchesella In Chenti (*Boxley, Kent*, C.) la buona mar. 15. e lla mojana mar. 9. e i locchi mar. 7. il saccho, e ànnone da 5. saccha per anno.

*Chonchisala (*Coggeshall, Essex*, C.) la buona mar. 18. e lla mojana mar. 11. e i locchi mar. 9½ il saccho, ed ànnone da 15. saccha per anno.

*Tilitea (*Tiltey, Essex*, C.) la buona mar. 17½ e lla mojana mar. 10. e i locchi mar. 8. il saccho, ed ànnone da 12. saccha per anno.

*Stanforte (*Stratford, Essex*, C.) la buona mar. 15. e lla mojana mar. 10. e i locchi mar. 7. il saccho, ed ànnone da 13. saccha per anno.

*Iscippitona (*Sibton, Suffolk*, C.) la buona mar. 14. e lla mojana mar. 8. e i locchi mar. 5. il saccho, ed ànnone da 10. saccha per anno.

Ponte ruberto (*Roberts Bridge, Sussex*, C.) no lla brisciano, ma lla stracchano, mar. 9. il saccho e ànnone da 3. saccha per anno.

*E*ilesi in Chondisgualdo (*Hailes, Glos.*, C.) la buona mar. 19. e lla mojana mar. 10. e i locchi mar. 7. il saccho, ed ànnone da 20. saccha per anno, ed è poi peggiorata.

*Vareale In gualesi (*Vale Royal* [*Dernhall*], *Cheshire*, C.) ànnone da 6. saccha, non è di nome.

Barcha noe[1] ingualesi ànnone da 20. saccha, non è di nome.

Conte[2] Ingualesi ànnone da 6. saccha per anno mar. 9. il saccho. La magione reale non à lana.

Magioni dell' ordini di Promustieri in Inghilterra.

Alnuicche In nortobellanda (*Alnwick, Northumb.*, P.), non brisciano, mar. 10. il saccho, ànnone da 20. saccha per anno.

*Santa Aghata (*Easby, Yorkshire*, P.) apparecchiata al modo della magione torocca, mar. 13. il saccho, e ànnone da 10. saccha per anno.

Choverramo (*Corham, Yorkshire*, P.) torcea mar. 13. il saccho, ed ànnone da 8. per anno.

*Toppolino (*Tupholm, Lincs.*, P.) la buona mar. 20. e lla mojana mar. 11. e i locchi mar. 10. il saccho, ed ànnone da 8. saccha per anno.

*Berlinghe (*Barlings, Lincs.*, P.) la buona mar. 24. e lla mojana mar. 14. e i locchi mar. 12. il saccho, e ànnone da 25. saccha per anno.

[1] Mr Whitwell suggests Aberconway.

[2] There are several Welsh Cistercian houses which are not included and this may possibly be a name for one of them, e.g. Strata Florida and De valle Crucis.

Niuxumi (*Neusham, Lincs.*, P.) la buona mar. 21. e lla mojana mar. 12. e i locchi mar. 9. il saccho, ed ànnone da 20. saccha per anno.

*Crocenstona (*Croxton, Leices.*, P.) la buona mar. 22. e lla mojana mar. 12. il saccho, e ànnone da 25. saccha per anno.

*Ottubo (*Newboth, Lincs.*, P.) torce mar. 16. il saccho, ed ànnone da 6. saccha per anno.

*Lavualderia (*Welbeck, Notts.*, P.) torcia mar. 11. il saccho, ed ànnone da 6. saccha per anno.

Agrestano (*Egleston, Yorks.*, P.) la buona mar. 15. e lla mojana mar. 10. il saccho, ed ànnone da 10. saccha per anno.

Sallebi (*Sulleby, Northants.*, P.) torcia marchi 16. il saccho, ànnone da 6. saccha per anno.

Ticcifeltro (*Tychfield, Hants.*, P.) schracchata mar. 9. saccho, ànnone da 15. saccha per anno.

Laballa[1] (*Le Dale, Derby*, P.) in torcea mar. 14. il saccho, ànnone da 8. saccha per anno.

Ciappi in vestrebellanda (*Shapp, Westmoreland*, P.), chome viene della falda mar. 9. il saccho, e ànnone da 10. saccha per anno.

Dereforte icosta a Pportamua (*Dureford, Sussex*, P.) chome viene della falda, mar. 9. il saccho, ànnone da 10. saccha per anno.

Becchamo In chosta a Pponte Ruberto[4] (*Beigham, Sussex*, P.), chome viene della falda, mar. 8. il saccho, ànnone da 5. saccha per anno.

Santa Indigonda[2] (*Bradsole, Kent*, P.) mar. 7. il saccho, ed è grossa cosa, ànnone da 5. saccha l' anno.

Mieldona[3] mar. 7. il saccho, ed è grossa chosa, ànnone da 5. saccha l' anno.

Bialceffo presso alla Roccea (*Beauchief, Derby*, P.) torciea mar. 14. il saccho, ànnone da 10. saccha per anno.

Baleo In Essecchisi (*Bileigh, Essex*, P.) come viene della falda, mar. 7. il saccho, e ànnone da 6. saccha per anno.

La Ghalea In Sifolco (*Langley, Norfolk*, P.) come viene della falda, mar. 7. il saccho, ànnone da 8. saccha per anno.

Avenebi Ilendisia (*Hagneby, Linc.*, P.) torcia mar. 13. il saccho, ànnone da 5. saccha per anno.

Samperinghamo (*Semperingham, Linc.*, G.) la buona mar. 20 e lla mojana mar. 10½, e i locchi mar. 9., ànnone da 25. saccha per anno.

[1] This is identified by Peruzzi with the Premonstratensian Abbey of Torr in Devonshire.

[2] The dedication of Bradsole was to S. Radegund.

[3] I have no suggestion to offer. There was a Premonstratensian House at Bileigh near Maldon in Essex, and a Gilbertine House at Melton in Yorkshire, but these are both mentioned below in this list. If the preceding and succeeding identifications are correct there is no help to be derived from geographical propinquity as to which of the numerous Premonstratensian houses may be intended.

*Santa Chaterina di Nicchola (*Lincoln*, G.) la buona mar. 22½ e lla mojana tratti mar. 12½ il saccho, ànnone da 35. saccha per anno.

Averolino (*Haverholme*, *Lincs.*, G.) la buona mar. 18. e lla mojana mar. 10. e i locchi mar 8½ il saccho, ànnone da 15. saccha per anno.

*Chatellea (*Catteley*, *Lincs.*, G.) la buona mar. 19. e lla mojana mar. 11½, e i locchi mar. 8½ il saccho, ànnone da 7. saccha per anno[1].

*Bollintona (*Bullington*, *Lincs.*, G.) la buona mar. 22. e lla mojana mar. 13. e i locchi mar. 9½ il saccho, ànnone da 18 saccha per anno.

*Sicchisille (*Sixhill*, *Lincs.*, G.) la buona mar. 18. e lla mojana 10½, e i locchi mar. 9. il saccho, ed ànnone da 18. saccha per anno.

*Orinesbi (*Ormesby*, *Lincs.*, G.) la buona mar. 19. e lla mojana mar. 11. e i locchi mar. 10. il saccho, ànnone da 18. saccha per anno.

Marisea (*Mattersey*, *Notts.*, G.) la buona mar. 19. e lla mojana mar. 11. e i locchi mar. 10. il saccho, e ànnone da 8. saccha per anno.

*Ghuantona (*Walton*, *Yorks.*, G.) la buona mar. 16½, e lla mojana mar. 10 e i locchi mar. 8½ il saccho, e ànnone da 40. saccha l' anno.

*Maltona (*Malton*, *Yorks.*, G.) la buona mar. 17. e lla mojana mar. 11. e i locchi mar. 6. il saccho, e ànnone da 45. saccha per anno.

Elertana (*Ellerton*, *Yorks.*, G.) la buona mar. 15. e lla mojana mar. 9½ il saccho, e ànnone da 10. saccha per anno.

Santo Andrea di Verrvicche (*S. Andrews*, *York*, G.) la buona mar. 15. e lla mojana, mar. 9½ il saccho, ed ànnone da 3. saccha per anno.

*Sisante (*Chicksand*, *Beds.*, G.) la buona mar. 16. e lla mojana mar. 9. il saccho, e ànnone da 12. saccha per anno.

Soldamo (*Shouldham*, *Norf.*, G.) la buona mar. 12½, e non fanno nè mojana, nè llocchi, ma brisciano 3. pietre per saccho, e ànnone da 16. saccha per anno.

Clarerchoni (*Clattercote*, *Oxon.*, G) la buona mar. 17. e lla mojana mar. 11. il saccho, e ànnone da 3. saccha per anno.

*Alvinghamo (*Alvingham*, *Lincs.*, G.) la buona mar. 18. e lla mojana mar. 10. e i locchi mar. 9. il saccho, e ànnone da 10. saccha per anno.

Novelluogho (*Newstead*, *Lincs.*, G.) mar. 15. il saccho, non fanno mojana, ma brisciane fuori pure i locchi, e ànnone da 10. saccha per anno.

Al Ponte (*Holland Bridge*, *Lincs.*, G.) non ha lana quaxi niente.

Miramaudo (*Mirmaud*, *Cambs.*, G.) non ha lana.

[1] A new division occurs in the MS. with the title *Dell' ordine di Promuxione*, which is probably due to the incorporation of a head-line by a transcriber.

Fordamo Insulfolcho (*Fordham, Cambs.*, G.) ha da uno saccho di lana intera, e grossissima.

Nonnarie di Danie, che ànno lane di rinome in Inghilterra.

*Istanfeltro (*Stanfield, Lincs.*, B. N.) la buona mar. 28. e lla mojana mar. 16. e i locchi mar. 7. il saccho, ed ànnone da 12. saccha per anno, ed è molto megliorata, e vendesi in Fiandra mar. 30. il saccho della buona.

*Isticchi Sigualdo (*Stykeswold, Lincs.*, C. N.) la buona mar. 20. e lla mojana mar. 12. e i locchi mar. 9. il saccho, e ànnone da 15. saccha per anno.

*Nonochotono (*Nun Coton, Lincs.*, C. N.) la buona mar. 18. e lla mojana mar. 10. e i locchi mar. 8. il saccho, ed ànnone da 10. saccha per anno.

*Ampola (*Hampole, Yorks.*, C. N.) torcea mar. 14. il saccho, e ànnone da 6. saccha per anno.

Grimesbi (*Grimsby, Lincs.*, C. N.) chome viene della falda mar. 17. il saccho, e ànnone da 2. saccha per anno.

Eninghe (*Heynings, Lincs.*, C. N.) chome viene della falda mar. 13. il saccho, e ànnone da 2. saccha per anno.

Choccuelle (*Gokwelle, Lincs.*, C. N.) chome viene della falda mar. 13. il saccho, et ànnone da 4. saccha per anno.

Langhalca presso a nontighamo (*Langley, Leices.*, B. N.) come viene della falda, mar. 12. il saccho, e ànnone da 5. saccha per anno.

Ardena (*Arden, Yorks.*, B. N.) torcia mar. 13. il saccho, ànnone da 10. saccha per anno.

Childomo (*Kildon, Yorks.*, C. N.) chome viene della falda mar. 12. saccho, e ànnone da 12. saccha per anno.

Rosedalla (*Rosedale, Yorks.*, B. N.) chome viene della falda mar. $10\frac{1}{2}$ saccho, e ànnone da 10. saccha per anno.

Sanchimento (*Clementsthorp, Yorks.*, B. N.) stracchata mar. 12. il saccho, e ànnone da 3. saccha per anno.

Suino Inoldarnesa (*Swinhey, Yorks.*, C. N.) la buona mar. 14. e lla mojana mar. 9. e i locchi mar. 7. il saccho, e ànnone da 8. saccha per anno.

Maricche In chosta ricciamonte (*Maryke, Yorks.*, B. N.), chome viene della falda, mar. 11. il saccho, ed ànnone da 8. saccha per anno.

*Vichamo In chosta rivalse (*Wyckham, Yorks.*, C. N.), chome viene della falda, mar. 11. il saccho, ed ànnone da 4. saccha per anno.

Anchordona (*Ankerwyke, Bucks.*, B. N.) chome viene della falda, mar. $11\frac{1}{2}$ il saccho, e ànnone da 4. saccha per anno.

Tine chotte appresso di Verruicche a 5. miglia (*Thicket, Yorks.*, B. N.), come viene della falda, mar. 12. il saccho, e ànnone da 4. saccha per anno.

Monacherone presso di Veruicche (*Monketon, Yorks.*, B. N.), chome viene della falda, mar. 11. il saccho, e ànnone da . . . saccha per anno.

Endichamo presso di Maltona (*Little Maries, Yedingham, Yorks.*, B. N.) mar 11. il saccho torciea.

Leccheborno In chosta alluja (*Lekeborn, Louth*, C. N.) come viene della falda mar. 12½ il saccho, ed ànnone da 3. saccha per anno.

Tutte magioni d' ordine nero, che ànno lane in Inghilterra.

*Chisiborno (*Guisborough, Yorks.*, A. C.) ischracchata mar. 12½ il saccho, e ànnone da 20. saccha per anno.

Niuborgho (*Newburgh, Yorks.*, A. C.) in torcea mar. 13. il saccho, e ànnone da 13. saccha l' anno.

*Brindellintona (*Bridlington, Yorks.*, A. C.) torcea mar. 13½ saccho, ànnone da 50. saccha per anno.

*Chircamo (*Kirkham, Yorks.*, A. C.) in torcea mar. 14 saccho, ànnone da 30. saccha l' anno.

Guitebi ostrattone (*Whitby, Yorks.*, B.) i locchi grossi mar. 9½ saccho, ànnone da 30. l' anno.

Sellebi (*Selby, Yorks.*, B.) in torcea mar. 12. il saccho, e ànnone da 15. saccha l' anno.

Nostra Dama di Veruicche (*S. Mary's, York*, B.), chome viene della falda, mar. 11. il saccho, e ànnone da 30. saccha per anno.

Guarterra (*Warre, Yorks.*, A. C.), chome viene della falda, mar. 10½ sacco, ed ànnone da 20. saccha per anno.

Dradicchisi (*Drax, Yorks.*, A. C.) chome viene della falda mar. 12. il saccho e ànnone da 5. saccha per anno.

Santo Usgualdo (*S. Oswald's, Nostell, Yorks.*, A. C.), chome viene della falda mar. 12½ saccho, ed ànnone da 10. saccha per anno.

Boltrona in Chravenna (*Bolton, Yorks.*, A. C.), chome viene della falda, mar. 12. sacco.

Bria (*Blyth, Notts.*, B.), chome viene della falda, mar. 12. il saccho, ànnone da 6. saccha per anno.

Giuirsopo presso abliada (*Worksop, Blyth*, A. C.), come viene della falda, mar. 12. saccho, ed ànnone da 5. saccha per anno.

Grimesbi Inlendisia (*Wellow* near *Grimsby, Lincs.*, A. C.), come viene della falda, mar. 14. saccho, ànnone da 10. saccha per anno.

Tornolino (*Thornholm, Lincs.*, A. C.) la buona mar. 16½ e lla mojana mar. 10½ il saccho, e ànnone da 8. saccha per anno.

*Bardinaja (*Bardney, Lincs.*, B.) la buona mar. 18. e lla mojana mar. 11. e i locchi mar. 9. e ànnone da 15. saccha per anno.

Marchebi Inlendisie (*Markeby, Lincs.*, A. C.) mar. 13½ saccho, e ànnone da 12. saccha per anno.

Olesamo Inlendesie (*Ailesham, Lincs.*, A. C.), chome viene della falda, mar. 13. saccho, ànnone da 10. saccha per anno.

Onbrestano In Lendisie (*Humbreston, Lincs.*, B.), chome viene della falda, mar. 13. saccho, e ànnone 5. saccha per anno.

*Nocchona parcho (*Nocton, Lincs.*, A. C.) la buona marchi 20. e lla mojana mar. 11. e i locchi mar. 9., e ànnone da 4. saccha per anno.

Rovincestri In chosta alpecche (*Roucester, Staffs.*, A. C.), chome viene della falda, marchi 12. il saccho, e ànnone da 10. saccha per anno.

Derlea (*Darley, Derby*, A. C.) in torcea mar. 12½ saccho, e ànnone da 16. saccha per anno.

Dreccheno (*Trentham, Staffs.*. A. C.) In torcea mar. 14. saccho, e ànnone da 10. saccha per anno.

Childirforte (*Shelford, Notts.*, A. C.) In torcea mar. 14 saccho, e ànnone da 12. saccha per anno.

Chuntorberj (*Canterbury*, B.[1]), come viene della falda, mar. 12. saccho, e ànnone da 8. saccha per anno.

*Bortona sortretta (*Burton-on-Trent*, B.) In torcea mar. 14. saccho, e ànnone da 25. saccha per anno.

Renpendona (*Repton, Derby*, A. C.) in torcea mar. 15. il saccho, ed ànnone 25. saccha per anno.

Lentona In chosta a Nontinghamo (*Lenton, Notts.*, Cl.) mar. 13½ saccho, e ànnone da 10. saccha per anno.

Nostra Dama di Luizestrj (*S. Mary's, Leicester*, A. C.) In torcea mar. 13½ saccho, ed ànnone da 20. saccha per anno.

Chirbebi (*Kirkby, Leicester*, A. C.), chome viene della falda, mar. 13. il saccho, e ànnone da 5. saccha per anno.

Gitterono (*Wyttering, Northants.*, B.), chome viene della falda, mar. 13. il saccho, et ànnone da 5. saccha per anno.

Lalanda (*Launds, Leicestershire*, A. C.), chome viene della falda, mar. 14. il saccho, e ànnone da 6. saccha per anno.

*Novelluogho Scirenda (*Newstead, Notts.*, A. C.), chome viene della falda, mar. 12½ il saccho, e ànnone da 4. saccha per anno.

Belluere (*Belvoir, Lincs.*, B.), chome viene della falda, mar. 13. il saccho, e ànnone da 5. saccha per anno.

Fine vete a 5. miglia presso a Stanforte (*Fineshed, Northhants.*, A. C.), chome viene della falda, mar. 9. il saccho, ed ànnone da 5. saccha per anno, ed è grossa chosa.

Ispaldinghe (*Spalding, Lincs.*, B.) In torcea mar. 13. il saccho, e hannone da 40. saccha per anno.

Tornai presso aspaldinghe (*Thorney, Cambs.*, B.) istracchata mar. 10. il sacco, e hannone da 6. saccha per anno.

Anche magioni dell' ordine nero che ànno lane.

Diepinghe presso a Stanforte (*Deeping, Lincs.*, B.) stracchata mar. 10. il saccho, ed ànnone da 5. saccha per anno.

Brono (*Bourn, Lincs.*, A. C.), chome viene della falda, mar. 10. il saccho, ànnone da 5. per anno.

[1] This place name, without any mention of the dedication, and introduced with such disregard of geographical position, is a little surprising. I cannot find that either Christ Church or S. Augustine's had estates in this district.

Crolanda (*Crowland, Lincs.*, B.) Torcea mar. 12. il saccho, e ànnone da 30. saccha per anno.

Borgo Sanpiero (*Peterborough, Northants.*, B.), essendo tutta insieme stracchata, mar. 12. il saccho, ed ànnone da 40. saccha per anno.

Ramixea (*Ramsey, Hunts.*, B.) chome viene della falda, mar. 9. il saccho, ed ànnone da 29. saccha per anno.

Donnistabile (*Dunstable, Beds.*, A. C.) la grancia loro di Brandinborno (*Bradburn*) nel Pecche torciea mar. 12. il saccho, e ànnone da 8. saccha per anno.

Guiccichonbo (*Winchcombe, Glouces.*, B.) stracchata mar. 13. saccho, e ànnone da 40. saccha per anno.

Euesamo in Chondisgualdo (*Evesham, Worc.*, B.), chome viene della falda, mar. 12. il saccho, ed ànnone da 10. saccha per anno.

Persore (*Pershore, Worc.*, B.) chome viene della falda, mar. 12. saccho, e ànnone da 10. saccha per anno.

Chausberi (*Tewkesbury*[1], *Glouces.*, B.) chome viene della falda, mar. 12. il saccho, ed ànne 8. per anno.

Lofusfeltro in ghondisgualdo (*Luffield, Northants.*, B.) come viene della falda mar. 13. il saccho, ed ànnone da 5. saccha per anno.

E Bindona (*Abingdon, Berks.*, B.) chome viene della falda, mar. 9. il saccho, e ànnone da 10. saccha per anno.

Santo Andrea di Norettona (*S. Andrews, Northampton*, A. C.), chome viene della falda, mar. 10. il saccho, e ànnone da 3. saccha per anno.

Osnea in Chondisgualdo (*Osney, Oxon.*, A. C.) torcea, e brisciata 4. pietre per saccho mar. 13. il saccho, e ànnone da 25. saccha per anno.

Nottolea presso a Ttamo a 2. miglia (*Nutley, Bucks.*, A. C.) stracchata mar. 12. saccho, e ànnone da 8. saccha per anno.

Martona In chosta a Llondra (*Merton, Surrey*, A. C.) chome viene della falda, mar. 7. il saccho, e ànnone da 20. saccha per anno.

Borcecestri presso a Bracchelea a 4. miglia (*Bicester, Oxon.*, A. C.) mar. 12. saccho, e ànnone da 5. saccha per anno.

La Trinitade di Londra (*Holy Trinity, London*, A. C.) interra mar. 8. il saccho, ànnone 5. saccha per anno.

*Ghualtamo (*Waltham, Essex*, A. C.) torcea mar. 11. il saccho, e ànnone da 20. saccha per anno.

*Santo nogli borgo Sestri (*Colchester*[2], A. C.) la buona mar. 15. e lla mojana marchi 10. et i locchi mar. 9. il saccho di sol. 13. den. 4. sterlini d' argento per j°. mar., et ànnone da 15. saccha per anno.

Lane chogliette delle chontrade del Norto d' Inghilterra, chonperate nel Norto medeximo per via di chogliette, torneranno in Fiandra il saccho, saccho j°. e cchiovi 12. in Fiandra.

[1] This seems more probable than any other house of Black Monks or Canons, with the same termination.

[2] This seems more probable from its geographical position than either Chester or Cirencester. The Colchester abbey was dedicated to S. Botolph and S. Julian.

Gli pregi chontenuti alle lane schritte di sopra, e adrieto sono quello che ffurono vendute in Fiandra; sicchè a chonperalle in Inghilterra si vogliono avere a ttanto minore pregio, che a pportalle poi d' Inghilterra in Fiandra, o in altra parte se ne faccia buon utile

E. THE IMMIGRATION OF ALIEN CRAFTSMEN INTO ENGLAND IN NORMAN AND ANGEVIN TIMES[1].

Professor Ashley, in the course of a kindly review[2] of the second edition of this book, took exception to the opinion I had expressed that "there was a large immigration of artisans which began soon after the Conquest," and to the suggestion I made, which as I now find had been previously put forward by Dr Ochenkowski[3], as to the probable character of the early gilds of weavers in English towns (p. 189). He seems to think that there was no such movement before what he calls the "first great immigration" in the time of Edward III.[4] "If we look," he says, "at the various pieces of evidence which Mr Cunningham adduces, it will be plain, I think, that he has put his theory into them instead of getting it out of them"; and in regard to the definite phrase about the Flemish settlers in Pembroke which I quoted from Giraldus Cambrensis—gens lanificiis usitatissima—he urges that "the whole passage is rhetorical," and that "no very great stress can be laid on any one word in it." Such an expression of opinion by Professor Ashley made me feel that it was necessary to examine the available evidence with some care before issuing a new edition of the volume which contains the statement criticised. I have had the good fortune to be able to draw largely on some notes which the late Miss Lamond had made for me on a topic in which her occasional residence at Pembroke had given her a special interest. The history of alien immigrations into England is of more than local importance, however; and could only be adequately treated in a book devoted exclusively to the subject. The sketch of one period, which I now offer, serves to raise several interesting problems which are closely connected with the main point at issue between Professor Ashley and myself; his criticism involves a view of the nature of a Gild Merchant which I cannot accept,

[1] A translation of the following pages has already appeared in the *Z. f. Social- u. Wirthschaftsgeschichte* III.

[2] *Political Science Quarterly*, VI. 155.

[3] *Englands wirthschaftliche Entwickelung*, p. 60 n.

[4] *Economic History*, Vol. I. Pt. ii. p. 193.

while the whole question of the origin and character of the early craft gilds will be set at rest, if the hypothesis which I put forward, and still maintain as tenable, shall be eventually confirmed. I shall therefore examine in turn:

1. The *Francigenae* of *Domesday*, their position and distribution.

2. The openings for industrial enterprise in England in the eleventh and twelfth centuries, and the facilities which aliens had for engaging in them.

3. The evidence of, and reasons for, a continued immigration of Flemings during the twelfth century.

4. The development of building and of trading in the twelfth century, with some remarks on Gilds Merchant.

5. The development of weaving and the organisation of weavers in the twelfth century.

1. There seems to be an impression in many quarters that the Norman Conquest merely changed the surface of English society. That it did affect the surface is clear enough; in every shire large estates passed out of the hands of Englishmen and were granted to adventurers who had followed William of Normandy; the language which Professor Freeman used to accentuate the legal claims put forward by William and the precise legal character of the changes he made, tends to obscure the fact that these changes were very deep, and affected the whole fabric of society. But the army which William led was composed of persons of all ranks and classes; peasants, artisans and merchants seem all to have had a place in the invading host[1]. This opinion is confirmed by a careful consideration of the picture of society in Norman England which is given us in *Domesday Book*. There were immigrants in the lower as well as in the upper strata of society; even though the old conditions of land tenure and other obligations were preserved, the aliens did to some extent lead a separate life under institutions of their own.

The precise meaning of the terms *franci*[2] and *francigenae*[3] need not detain us; but few of William's followers, whether Normans or Flemings, were French in a strict sense[4], and it is plain that the terms were applied indifferently to all those who followed William from abroad as well as to men of similar

[1] A. D. de la Fontenelle, "*Coopération de Poiterins*" in *Revue Normande* (Caen), I. p. 534.

[2] In several cases the word *francus* does not mean an alien of any kind, but is used instead of *liber* and in opposition to *villanus*; e.g. *inter francos et villanos*, *Domesday Book* (Middlesex, I. 127, a. 1; 127, b. 1; 129, b. 2; 130, a. 1). So too the arrangements for the pleas (I. 175, a. 2) and for the payment of Kirkscot at Pershore (175, b. 1) were probably intended for freemen (*franci*) though there were several *francigenae* on these estates.

[3] Ex Normannis et Flandrensibus ac Francis et Britonibus. Gulielmus Gemmeticensis, in Duchesne, *Norm.* p. 286, l. vii. c. 34. The part played by the Flemings in the Conquest has been discussed with admirable care by M. Gantrel in the *Nouvelles Archives* (Ghent), II. pp. 323—409. I have been greatly indebted to this excellent monograph.

[4] Freeman, *Norman Conquest*, Vol. III. p. 314.

extraction who were already settled in England. It was merely the term in ordinary use, which served to distinguish those aliens from the natives of the country (*angli* or *anglici*). The continued existence of this class of inhabitants is evidenced by the so-called *Laws of William the Conqueror*[1]. The relations between subjects of the different races were dealt with in some detail; the pre-Norman immigrants were to be regarded as merged in the English inhabitants, and the right of more recent comers to separate treatment was fully recognised. It may perhaps be said that the king was anxious to see the two races combined into one, but that in some cases, especially of recent arrivals, this was not possible.

Among the tenants in chief in *Domesday Book* many aliens are specified by name; but those who are described as *francigenae* were often below the rank of tenants in chief[2]; some had very small holdings[3], and others are enumerated along with the villans and borderers as *servientes*[4] or described as *cotarii*[5]. They are occasionally mentioned in the returns from almost all parts of the country; the patient compiler of the Index gave up the enumeration of instances in despair with the words *alibi passim*; but the distribution appears to have differed a good deal. There were considerable numbers of them in several towns, such as Norwich[6], Shrewsbury[7], Southampton[8], and Hereford[9]; we find several entries respecting them in the neighbourhood of Pershore[10], and in Cheshire[11]. In this last case the *francigenae* seem to be on the lands of the Earl, and in other instances we find them concentrated on the estates of some particular lord[12]. But though these entries throw interesting light on the position of the humbler *francigenae* they cannot be regarded as exhaustive; there is other phraseology which is apparently applied to the men who followed the leaders in William's army. Such a phrase as *homines Gisleberti*, who demanded unwonted tolls at Barton on Humber[13], may be fairly regarded as applying to immigrants, and it is of constant recurrence; on one of Robert de Vesci's Lincolnshire manors the distinction is pointed explicitly. De supradicta terra et soca habent III homines Roberti XII carucatas.....Unus quoque anglicus habet unam carucatam[14]. Those who are specified as the *homines* of Norman leaders may be fairly regarded as swelling the numbers of the *francigenae* of inferior rank.

[1] Thorpe, *Ancient Laws* (Rec. Com.), I. p. 211.

[2] A comparison of the Contents, *D. B.* I. p. 75, a. 1 of the Dorsetshire *Domesday* with I. p. 83 serves to show that a number of *francigenae* held comparatively small estates in that county direct from the king.

[3] Cree and Gerberie, *D. B.* I. 232, b. 1 and 2.

[4] Ibid. I. 79, a. 2; 174, b. 2; 232, b. 2 (Wimundewalle). On the status of *Servientes* compare Pollock and Maitland, *History of English Law*, I. 262.

[5] See the curious entry at Gistleswurde, ibid. I. 130, a. 1.

[6] Ibid. II. 118, a. [7] Ibid. I. 252, a. 1. [8] Ibid. I. 52, a. 1.

[9] Ibid. I. 179, a. 1. [10] Ibid. I. 174, b; 175, a and b.

[11] Ibid. I. 264, a and b; 265, a and b; 266, a and b.

[12] Such as Hugh of Grantmesnil, both in Warwickshire (ibid. I. 242, a. 1) and Leicestershire (ibid. I. 232, a and b).

[13] Ibid. I. 354, b. 1; 375, b. 2. [14] Ibid. I. 363, a. 2.

There is another side from which this opinion as to the large number of such immigrants may be confirmed; the names of the jurors who gave evidence in Cambridgeshire have been preserved, and it is plain that there was a considerable number of *francigenae* among them[1], even if the recurring *omnes alii franci et angli in hoc hundreto*[2] be treated as a mere formula. There does not seem to have been any specially large number of *francigenae* in Cambridgeshire, so far as can be gathered from *Domesday Book*; I have noticed eight[3]. Yet the lists of the jurors in the *Inquisitio* prove that they were really largely represented among the smaller tenants[4]. We cannot pursue the same inquiry as to the *personnel* of the juries in other counties, as the names of the jurors have only been occasionally preserved[5]; but there is every reason to believe that their composition was similar in the rest of the country; at all events they were mixed bodies of *francigenae* and English. This comes out in some instances where differences of opinion are recorded. Thus the opinion of the English jurors who estimated an estate at £60 is recorded as well as that of the French *praepositus* who put it at £90[6]. In Southwark the jurors, both French and English, gave evidence about a suit commenced but relinquished by the Bishop of Bayeux[7]. In Berkshire the English jurors decided against the claim of an Englishman as unfair[8]. In Essex one case is noted where the French and English jurors agree[9], and one where they differ[10]. In Wiltshire the English protested that an estate valued at £70 *ad pensum* was only worth £60 by tale[11], and that another valued at £18 was only worth £12[12], while the English jurors proved that William of Pinchengi held a hide and a virgate which rightfully belonged to Edward of Salisbury and the manor of Stoche[13]. The special record of English opinion in these cases exemplifies the mixed character of the jury, and goes to show that the *francigenae* were dispersed through districts in which none are specified.

The tenants mentioned in *Domesday Book* are, generally speaking, regarded as subjects of the King, and the commissioners were not called upon to specify their origin. Now and then a tenant is simply described as an Englishman, owing to some accidental circumstance[14], and it is probable that there were far

[1] This seems clear from the names themselves, but such evidence is not conclusive, as we find a *Robertus* who is described as *anglicus*. *Inquisitio Cantabrigiensis*, p. 97.

[2] Ibid. p. 98.

[3] *D. B.* I. 189, a. 1; 197, b. 2; 200, a. 1: 201, a. 2.

[4] Two or three of the jurors in each hundred were men holding several hides; the rest were small tenants whose precise position cannot be identified. Aleranus francigena (p. 12), who is not mentioned elsewhere, and Gerardus Lotaringus, who had half a virgate (p. 39) are the two jurors whose foreign extraction is specified in the *Inquisitio*.

[5] Some Hertfordshire instances occur. Hamilton, *Inquisitio Cantabrigensis*, p. 100.

[6] *D. B.* I. 2, b. 1.

[7] Ibid. I. 32, a. 1.

[8] Ibid I. 62, a. 2. (Ardintone).

[9] Ibid. II. 38, b.

[10] Ibid. II. 18, a.

[11] Ibid. I. 65, a. 1.

[12] Ibid. I. 70, a. 2.

[13] Ibid. I. 69. b, 1.

[14] Possibly because the jurors did not know his name, as in cases of a man who had held the land in the time of King Edward (*D.B.* I. 58, b. 2, and 248, a. 2) or when the land was held by four sons, and it was simpler to describe them as the sons of an Englishman than to give all their names.

more *francigenae* in each county than are directly, or by implication, described as such[1]. It was not the business of the commissioners to record the fact that certain tenants were immigrants, unless for some special reason. In some few cases it is possible to make at least a guess at the reason. Thus, in some cases, the *francigenae*, and the value of their tenancies, are reckoned separately[2], and the detail helps to explain the cause of the rise in the value of an estate. In Hereford[3] the fiscal obligations of the *francigenae* were quite different from those of the other inhabitants, and in towns like Shrewsbury[4] and Southampton[5] the number of the *francigenae* is mentioned in the course of a complaint on the part of the burgesses about the pressure of the old taxation under new circumstances. The facts about the *francigenae* are recorded in these and other cases, but we are justified in regarding them, not as exceptional, but as typical of a larger or smaller number of similar but unspecified instances.

The evidence of *Domesday* thus serves to confirm the view that not only the great leaders but the fighting men obtained a footing in the new country. It must be remembered, too, that provision had to be made not only for the soldiers, but also for those who had supplied the means of transport. William had been compelled to procure a fleet[6] as well as to conquer the country. Part of it was obtained from Flanders, and William was forced to incur a very special obligation in return[7]. But in one case at least he paid for a ship with a carucate of land[8]; and it is possible that this transaction was a type of the bargains he made with the shipowners of Rouen and Caen. Knyghton[9] gives us to understand that a crowd of adventurers flocked to England and settled on the land. Iste duxit secum in Angliam tantam copiam et multitudinem variarum gentium, scilicet Normannorum, Picardorum, Britonum, Burgillorum, de quibus magna pars remansit in Anglia ubilibet dispersa. Quidam possessiones habentes de dicto Willielmo, seu ab aliis dominis sibi datas, quidam vero ex emptione habentes, sive in officiis sub spe habendi remanserunt. It was on the whole the policy of the government to ignore the

[1] I have only noticed three *francigenae* in Wiltshire, one on the estates of Alvred of Marlborough, the other on the estate of Edward of Salisbury (*D. B.* I. 69, a. 2). But the specific appeals to English opinion and specified instances of English tenants, almost seem to show that the *Francigenae* were the main element in the population.

[2] Ecesatingetone (*D. B.* I. 69, a. 2). Toritone (ibid. I. 116, b. 1). It is difficult to account for the rise in value of so many estates, between the time of the Confessor and of *Domesday*, unless the number of tenants of different classes was not only kept up but increased. Even if the struggle and change of masters left the native population on the land as large as before, and this seems most unlikely, the Norman leaders must have been able to add to the numbers of the men on the land; the disbanded army is at least an obvious source from which such additional tenants might be drawn.

[3] *D. B.* I. 179, a. 1. Francigenae vero burgenses habent quietas pro xii denariis omnes forisfacturas suas praeter tres supradictas.

[4] Ibid. I. 252, a. 1. [5] Ibid. I. 52, a. 1.

[6] Guliclmus Gemmeticensis, in Duchesne *Norm.* p. 286, estimates it at 3000 ships, l. VII. c. 34.

[7] Varenbergh, *Relations*, pp. 53—55, Rymer, *Foedera* I. pref. Ad Lectorem.

[8] *D. B.* I. 336, a. 2. [9] Henricus de Knyghton in Twysden, p. 2313.

differences between the races, at least for fiscal purposes; and Orderic asserts that amalgamation went on rapidly and was promoted by intermarriage[1]. Still, it is clear from the laws of William I. that some of the immigrants had a separate status, and were not taxed in the same fashion as their neighbours, and there were many causes of disagreement[2]; these led to open disturbances in several parts of the country, especially in outlying districts. Gherbord the Fleming had had the earldom of Chester assigned him, but he did not enjoy it long, and magna ibi et difficilia tam ab Anglis quam ab Gallis adversantibus pertulerat[3]. Walcher of Lorraine, the Bishop and Earl of Durham, was a man of excellent character, but the excesses of his subordinates, especially of his archdeacons, gave rise to a disturbance in which he lost his life[4], as well as a hundred men, French and Flemings[5]. The two races may have begun to draw together before the close of the Conqueror's reign, but they were still very distinct, and some of the immigrants were separately organised.

2. Though the great mass of William's followers seem to have settled on the land, it is well to remember that there were other openings for any artisans or merchants who had come in the army, and who preferred, when the war was over, to betake themselves to their old avocations, as builders, as merchants, or in connection with the cloth trade.

(*a*) Apart altogether from the explicit statement of Ordericus Vitalis[6], we might have gathered that there was a great demand for building in the century succeeding the Conquest. Many castles and numberless churches remain to show how effectively this demand was supplied; huge structures were erected both for civil and ecclesiastical purposes. The White Tower dates from the time of the Conqueror, and building operations were going on at the Abbey of Evesham[7] during his reign. There was evidently a great demand for masons.

(*b*) It is obvious too that there were great openings for merchants. England, from the character of its coast line and of its rivers, offers admirable facilities to traders, and little use seems to have been made of them before the Conquest. The regulations for trading in William's Laws seem to take little account of fairs, and only one is mentioned in *Domesday Book*. There were, of course, plenty of markets, and doubtless there were travelling chapmen. But a market was, as it is, primarily the place for offering weekly supplies for the use of the inhabitants of a town; it is different in character from gatherings like horse-fairs. These are and were generally held outside the town, and when first instituted were frequented by foreign merchants

[1] Ordericus Vitalis l. iv. c. 11 (Migne).
[2] Knyghton in Twysden 2313.
[3] Ordericus Vitalis iv. c. 12 (Migne).
[4] Symeon Dunelm *H. S.* i. 113 *seq.*
[5] *English Chronicle* (Rolls Series), anno 1080, Vol. i. p. 351, and ii. p. 184.
[6] Ord. Vit. iv. c. 11 (Migne).
[7] *D. B.* i. 175, b. 2; Ibi sunt boves ad unam carucam sed petram trahunt ad ecclesiam.

with imported goods. The passage already quoted from Ordericus[1] shows how prominent a feature of English life the fairs became soon after the Conquest. The English taste for imported cloth of fine make was developed[2], while the merchants who visited this country were glad to purchase English embroidery[3]. Encouragement was given them, for William the Conqueror took care to provide for the security of traders, even in the excitement of his first entry into London[4].

(c) There were also great opportunities for the manufacture of cloth. England was well adapted for the growing of wool, and eventually became the chief source of European supply. Weavers, at the time of the Conquest, could not only get a supply of materials, but the change in English taste and the demand for dress of Norman fashion[5] would also give them a ready sale. It is of course impossible to prove a negative, but there seems reason to believe that this art was not practised as a trade in England before the Norman Conquest; there is no mention of weavers in *Domesday*, and the homespun cloth was probably the result of women's work as a household occupation. There were thus plenty of openings for enterprising men, quite apart from opportunities of settling on the land and living by agriculture.

From what we know of the Normans and their companions, they were able and ready to take advantage of these openings. So far as building is concerned it may be said that they created the demand in England. Their passion for Church building has left its traces in their Sicilian as well as in their English conquests; while the masons of Caen were well able to execute work in our country. Again, the river Seine had been the resort of merchants from time immemorial, and Rouen was the point at which the trade of North-western Europe was then concentrated; such merchants would be ready to open up new markets. In regard to weaving it may be said that one section of the *francigenae* who followed William already practised this trade on a considerable scale. Weaving and fulling had been introduced into Ghent by[6] Baldwin the Young, a century before the Norman Conquest. The art of weaving was well established among the Flemings[7], and they were capable of taking advantage of the openings for carrying on the cloth trade which the conquest of England afforded. It is at least worth notice that Gilbert of Ghent used a small piece of land in Lincolnshire, which had hitherto been under plough, for his flock of sheep[8]. This reads like an anticipation of the enclosing which caused so much indignation in the fifteenth and sixteenth centuries; it is at

[1] *Ord. Vit.* IV. c. 11.
[2] Ibid. IV. c. 11 (Migne).
[3] Gulielmus Pictavensis in Duchesne, *Normannorum*, p. 211.
[4] Ibid. 208.
[5] *Ord. Vit.* IV. c. 11.
[6] Oudegherst, *Annales*, by Lesbroussart, c. 28, p. 171, note 2.
[7] Pertz, *Monumenta Germ. Hist.* Vol. ii. (Hanover, 1829), *Mon. Sangall. Gesta Karoli*, lib. I. c. 34, p. 747.
[8] *D. B.*, I. 354, b. 1 (Sudtone).

least possible that he had an eye to the development of the weaving industry.

3. There is ample evidence that during the eleventh century there was a continual stream of Flemish immigration into this country; there are two main classes who may be distinguished—those who came as mercenary soldiers, and those who were driven by stress of circumstances from their own land and attracted to settle here.

It is not easy to say to which of these classes we should assign the Flemings of whom we read at the beginning of the reign of Henry I. They had been attracted to England by the hope of his mother's protection, but they came in such numbers as to be a burden to the realm. They were disturbing elements in the population, and Henry I. determined to deport the whole of them into Wales; hence he sent them to Ross, where they might help to keep the Celts in order[1].

When Henry was dead, however, and the disturbed times of Stephen began, there was a large incursion of Flemish mercenaries. Stephen is said to have spent the whole of Henry's treasure in procuring soldiers from Flanders and Brittany[2]; they proved unruly, and were guilty of repeated outrages, for they even looted the churches and the burial-grounds; Stephen's dependence on William of Ypres—the leader of these mercenaries—was one of the reasons which alienated many of the Norman nobility from his cause[3]. But others followed the royal example, as we may see from the story of the Battle of the Standard, in which, by the way, a son of Gilbert of Ghent took a leading part[4].

Some years later, during the rebellion of Hugh Bigod against Henry II., there was a new incursion of these military adventurers; their ravages in the eastern counties were startling, and Norwich was taken in 1174[5]. In the preceding year there had been a pitched battle at Bury, when 3,000 mercenaries marching towards Leicester were slain or captured[6]. Gervaise of Canterbury expresses great satisfaction over this massacre. Nam Flandrenses lupi, Anglicanae copiae ab olim invidentes, naturali negotio textoria scilicet arte dimissa, Angliam se jam cepisse jactitabant[7]. It may seem that this passage is merely "rhetorical," and that it is unlikely that these military adventurers had any skill in textile arts. But the phrase of another chronicler is worth noting. Ralph de Diceto certainly writes as if some of the individuals who had come as mercenaries in Stephen's reign were sent back to work at Flemish looms when Henry II. expelled them. A castris ad aratra, a tentoriis ad ergasteria Flandrensium plurimi revoca-

[1] Gulielmus Malmesburiensis, *Gesta Regum*, R. S. Vol. II. l. v. p. 477.
[2] Ibid. *Hist. Nov.* R. S. Vol. II. lib. i. p. 540.
[3] *Ord. Vit.* (in Migne) l. 13, c. XIII. anno 1137.
[4] Dugdale, *Baronage*, I. 400.
[5] Matthew Paris, R. S. Vol. II. p. 292. Cf. Radulph de Diceto, Vol. I. p. 381 (Rolls Series).
[6] Ibid. II. p. 290.
[7] *Gervaise Cant.* (R. S.) I. p. 216.

buntur[1]. It is at least possible that some of the soldiers who came from Flanders at the Conquest subsequently were, when forced to settle, able and willing to take up the trade of weavers.

But besides these military adventurers there were other Flemish immigrants who are sometimes distinguishable from them. Though Henry I. found it advisable to deport so many Flemings to Wales, he was yet willing to grant an asylum to other men of the same country in England itself, though on its farthest border. Early in his reign he allowed a Flemish colony, who were driven from their homes by an inroad from the sea, to settle at the mouth of the Tweed; subsequently in the eleventh year of his reign he transferred them to Ross, where their compatriots were already settled, and to Haverfordwest[2]. William of Malmesbury contrasts their orderly life under the protection of Henry I.[3] with that of the mercenaries who descended on the land in the time of Stephen. One of the first acts of the second Henry was to expel these mercenaries from England altogether; so effectively was his decree carried out that they passed away like a dream[4]. Still there is no reason to suppose that this edict extended to all Flemings, but only to the military adventurers who would not betake themselves to honest labour. Enough has been said to show that there was a constant stream of immigration which began at the Conquest, and continued during the twelfth century; and that these immigrants gave rise to frequent difficulties. In the beginning of the reign of Henry I. a number were deported to special settlements of their own in Wales, and the military adventurers were expelled from the kingdom by Henry II.

4. So far we have seen that there were openings for merchants and artisans to engage in certain kinds of enterprise in England after the Conquest, and that there was continual immigration to England from parts of the Continent where callings little known in England were successfully practised. It is not unnatural to put these facts together and to connect the rapid development of certain sides of industrial life in England in the twelfth century with the immigrants who came from the Continent and settled here; and some incidental pieces of evidence can be adduced which tend to confirm this view.

(*a*) That there was a great development of building shortly after the Conquest is obvious from the remains which survive. The stone churches, indeed the stone buildings of any kind, erected before the Conquest were probably very few in number, as wood was a favourite building material; the masonry which remains from pre-Norman times has some peculiarities of structure, while the workmanship is coarse though effective. The

[1] Radulphus de Diceto, *Hist.* I. 297 (Rolls Series).
[2] Johannis de Bromton in Twysden, 1003.
[3] Gulielmus Malmesburiensis, *Hist. Nov.* R. S. Vol. II. p. 561.
[4] Gulielmus Neubrigensis (Rolls Series), lib. II. c. 1.

beautiful masonry of the Norman castles and churches could scarcely have been executed by the less skilled English craftsmen, while it has its exact parallel in contemporary buildings in Caen. When we remember, too, the extraordinary number of stone buildings erected in this country in the twelfth century, it is difficult to see where all the masons could have come from; fragments of stone work in one church after another go to show that churches which have been subsequently restored in the fourteenth or fifteenth centuries, were originally built in Norman times; masons were at work in every part of the country, building, after a foreign fashion, and with foreign skill, within a century after the Conquest. Stone was frequently imported from Caen[1]; and that there was frequent intercourse[2] between the workmen on both sides of the Channel appears from the simultaneous improvement in the art which took place in both countries in the twelfth century. In other cases, where Flemish fonts[3] are found in the churches, it seems possible that the fabric was partly due to Flemish hands. The men of the Low Countries had a high reputation as builders in the succeeding century, and some were brought to do work even then; though by that time the art had had every chance of taking deep root in English soil. Bishop Poor of Salisbury employed Flemings in the building of his magnificent church, and there are traces of their presence at the erection of Llandaff Cathedral, of Caerphilly Castle, and in Leicester[4], in the thirteenth century. The continued reliance on foreign skill raises a presumption that the best work of the preceding age had been done by imported craftsmen; indeed skill in any manual art can only be transferred from one land to another by transferring the men who practise that art.

(*b*) The rapid development of fairs after the Conquest is a proof of the growth of trade, and especially of trade at centres which alien merchants were free to visit. The fairs in the Low Countries date from the tenth century, and that of S. Denys is older still: in the thirteenth century they were frequent enough in England; Orderic's reference to them is graphic; as they came to be organised here or there[5] in the Norman and early Plantagenet times, the foreign merchants would have their best opportunities of trading. They could also obtain a footing as *comburgenses* in towns where they did not reside, and some of them even found it worth while to transfer their business altogether to London, because it was more suitable for traffic than either Rouen or Caen[6].

I cannot suppose, however, that the development of commerce was so rapid as to bring about the formation of a class of wealthy

[1] T. Hudson Turner, *Domestic Architecture*, p. xxv.
[2] Rickman, *Gothic Architecture*, pp. 78—79, 7th ed. 1881.
[3] Parker, *Introduction*, p. 53, note.
[4] Harris in *Archæologia*, Vol. II. p. 12 (1773).
[5] Chester (Dugdale, *Mon. Angl.*) II. 386.
[6] *Vita S. Thomas auctore anonymo II.* in Materials for History of Thomas Becket, R. S. Vol. IV. p. 81.

traders in a number of provincial towns. The growth of fairs, as centres of occasional trade, was still going on in this country, and that is a less advanced phase of commercial history than the development of permanent marts where mercantile business is constantly carried on. In the fourteenth and fifteenth centuries there are signs both in England and France of the growth of these permanent centres of trade and consequent decay of the fairs, and of the development of a wealthy class of trading burgesses. But it is an anachronism to assume the existence of such a class in the petty towns of the twelfth and thirteenth century. We must not be so much the slaves of language as to assume that what we understand by a merchant class existed in the thirteenth century, because there were so many *Gildae Mercatoriae*; artisans who wished to buy materials or sell their goods[1] were dealers, and in this capacity formed a Gild Merchant. This view of the membership of a Gild Merchant is confirmed by an inspection of a most interesting document which is imperfectly summarised in Owen and Blakeway's *History of Shrewsbury*[2], and which has been recently re-discovered in the arrangement and cataloguing of the archives of Shrewsbury. Of the nine members who belonged to the gild in its earliest phase two were fishermen, and one was a butcher; the callings of the other six are unspecified. Several of the lists of members of the Gild Merchant of Shrewsbury have been preserved from the thirteenth century[3], and men who were described as craftsmen of one kind or another were frequently admitted; while the number of members is so large in proportion to the probable population of the town, that it is impossible to regard the Shrewsbury Gild Merchant as an exclusive aristocracy which oppressed the poor craftsmen. The evidence of this early English document and the analogy of contemporary Gilds Merchant on the Continent[4] confirm Dr Gross's opinion that the alleged conflict between merchants and artisans in twelfth century English towns is a mere myth.

There were not, in the twelfth century, sufficient merchants to form an exclusive class with distinctive organisations; but there was every reason why neighbours should combine for trading purposes. I have ventured to suggest elsewhere[5] that *combined purchasing* was the economic object in the formation of Gilds Merchant; the right of *cavil*, or of sharing in the purchases made from a stranger in the town, would be of great importance when there were but few opportunities of purchasing at all. As these opportunities became more frequent, or as other expedients for combined purchasing were developed, the main economic

[1] In a charter of Ranulphus filius Ranulphi confirming the privileges of S. Werburgh's fair, Merchants, Brokers, Parmenters, and Cordwainers are specified as persons attending. Dugdale, *Mon. Angl.* II. 388.

[2] Vol. I. p. 102, *seq.* It existed in some form in the time of Henry II.

[3] *Transactions of Royal Hist. Society*, IX. Specimens are printed by Mr Drinkwater in the Shrewsbury *Archæological Transactions*, Second series, Vol. II. p. 36 *seq.*

[4] Giry, *S. Omer*, 275, 281.

[5] *Economic Review*, I. 227.

object of the Gild Merchant would be gone. Some such explanation is necessary in order to account for the rapid decline in economic importance of an institution which had been so highly prized and so widely extended as the English Gild Merchant. But whether this suggestion as to their function and the cause of decline be well founded or not, one thing is clear: the Gild Merchant in the twelfth century was not an exclusive body of capitalist traders who held aloof from and oppressed unhappy weavers. We may now turn to the history of this trade and of the organisations among weavers.

(*c*) There is ample evidence that the trade had attained considerable proportions in certain English centres before the end of the reign of Henry I., for there were gilds of weavers in Winchester and other towns in the thirty-first year of his reign. But we can do little to trace the growth of the industry even in a city about which our information is so comparatively full. The inquisition made by Henry himself[1] is as silent as Domesday about weavers among the burgesses, and that of 1148[2] only enumerates one weaver, Aldelmus, and three dyers, Ailwardus, Drogo and Rogerus. These are the only entries in these returns from which we can infer the existence of a cloth trade at all; but there must have been many more workmen engaged in it, as both the fullers and the weavers of Winchester were organised in gilds as early as 1131, and each paid the sum of £6 annually as the equivalent of a mark of gold[3]; as there are numerous entries in which no calling is specified there is no conflict in our evidence.

Weavers' Gilds existed in other centres at this date. The gild in London was perhaps the largest, as it was rated most heavily: the members had to make an annual contribution of £12, and apparently this was beyond their power[4]. There were also gilds of weavers at Oxford[5] and at Lincoln[6] each paying £6, while at Huntingdon there was a weavers' gild which paid 40/-[7]. Subsequently a weavers' gild is heard of at Nottingham[8], and another at York which paid no less than £10[9]. They seem to have been recognised institutions which were increasing in

[1] Liber Winton, *D. B.* IV. 531 *seq.* [2] Ibid. 542 *seq.*

[3] *Pipe Roll* (Record Com.) 31 H. I. p. 37.

[4] Ibid. 2 H. II. p. 4. In 31 H. I. they paid £16. We find an accumulating debt till 6 H. II. (Pipe Roll Soc.) p. 13, when they owed £33: after this they disappear till 10 H. II. p. 21, when they pay at the old rate for three-quarters of a year. They fell £4 in arrears in 14 H. II. p. 2, but wiped off the debt as well as the payment for the current year by giving £16 in 15 H. II., Pipe Roll Soc. p. 170.

[5] 31 H. I. Rec. Com. p. 2. The corvesarii of Oxford were reconstituted in this year, as they were fined five ounces of gold *de gersoma pro gilda rehabenda*, Ibid. p. 5. Their annual rate was one ounce of gold or 15/- (11 H. II. p. 69, Pipe Roll Soc.). It is curious that so many of these gild payments are in gold. The ratio of gold to silver is not quite clear; in the case of the Winchester Jews thirteen marks of silver were carried over as a debt of 1 mark of gold (11 H. II. 42, 12 H. II. 101); but this was probably a partial remission, as the debt was eventually discharged (13 H. II. 178) by the payment of £6 in silver. This was the recognised rate for computing gold payments (15/- for the ounce and £6 for the mark) and it gives a ratio of 9 to 1.

[6] 31 H. I. Rec. Com. p. 109. [7] 31 H. I. p. 48.

[8] 2 H. II. (Record Com.) p. 39, paying 40/-.

[9] 10 H. II. (Pipe Roll. Soc.) p. 12, 11 H. II. p. 46.

number, but the regularity[1] of the entries regarding them precludes the idea that similar organisations existed in other towns without being mentioned. The character of the *Pipe Rolls* is so different from that of *Domesday* that we are justified in regarding these entries as specifying certain exceptional organisations.

If the conditions of the times have been correctly described above, and weaving was being introduced into the country, not as a household occupation but as a trade for the market, we can see that there was considerable economic excuse for the formation of gilds with special powers. The men who were working for purposes of trade would wish to have their cloth recognised as possessing a character of its own, to which the product of household looms had no claim. They would desire to superintend the industry, and to give a reputation to the cloth manufactured by their members; and the gild system, whatever were the special privileges they procured[2], generally offered the means of attaining such objects. Gilds, as the organisations of a particular craft, do not appear to have been known in England before this time; but the tradition at least of such organisations had survived in some of the continental cities, and the thing itself was probably familiar to the *francigenae* of the twelfth century. The cordwainers of Rouen had a gild granted them by Henry I.[3] and the tanners by Henry II.[4]; while at Cologne there was a gild in a special department of the weaving trade as early as 1149[5]. Another craft unconnected with the cloth trade which had a gild at this time, were the bakers of London[6]. Like the London weavers they seem to have been too heavily rated[7]. It seems probable that the baking trade in a populous centre was in the same phase of transition as weaving, and that there was an economic reason for the formation of these gilds when a useful art which had been a domestic occupation came to be practised as a trade for the market.

But whatever the economic reasons for the formation of these weavers' gilds may have been, it is clear that when once formed they had not only an economic but a political character. They were the organs through which a certain amount of taxation was regularly paid. The annual contributions of the members were not made as part of the ferm of the town, but were answered separately by the gild, or by the sheriff on its behalf. The pay-

[1] There are however some apparent omissions: there is no entry for Huntingdon in 6 H. II. and the payment in 7 H. II. p. 43, is made at the old rate with no mention of arrears. So the Oxford payment is not mentioned *either* in 5 or 6 H. II.

[2] The Charters of Henry II. and of John to the men of Nottingham, with the exclusive privilege for cloth within ten leagues may be noted in this connection.

[3] Ducange, *sub voce* Corvesarius. This was as we have seen a craft which had an organisation at Oxford.

[4] Cheruel, *Rouen pendant l'Époque Communale*, Vol. I. p. 31.

[5] Wauter's *Libertes Communales*, II. 591. [6] 2 H. II., p. 4 (Rec. Com.).

[7] In 4 H. II. Rec. Com. they were £4. 10*s*. in debt, p. 114; in 5 H. II. Pipe Roll Soc. p. 2, £10. 10*s*.; in 6 H. II. p. 13, £16. 10*s*. (ib.). We then hear no more of them till 10 H. II. (ib.) p. 21, when they pay for three-quarters of the year at the old rate (£6 per an.).

ments were not special fines[1], but regular contributions. Occasional payments there were, as when the cordwainers of Oxford had their gild reconstituted; but some of these had a political character, for the Lincoln weavers[2] paid 40/- for two *fugatores*, that they might have their own customs, according to the King's Brief. When the weavers of Winchester were reconstituted in 1165, they paid a fine of one mark of gold "pro consuetudinibus et libertatibus suis habendis et pro eligendo Aldermanno suo"; while they also agreed to pay two marks of gold annually for the future[3]. The regular payments also had a political character which comes out in the first entry respecting the fullers of Winchester, who contributed a mark of gold "ne disfaciant Utlagos" in 1131[4]. Similarly it was a charge in regard to which the payment of Danegeld by the Huntingdon weavers was taken into account[5]. This fiscal[6] and political character is interesting, for the English Gilds had their parallel in this point with institutions in Normandy; according to an inquisition of 1199 the Rouen fullers and dyers were responsible for the repairs of the walls[7], so that the organisation of trades for fiscal purposes was in use in Normandy at the close of the twelfth century.

The employment of trade organisations for fiscal purposes is of course natural enough, and we find analogies in many places. But it is interesting to find this fiscal system existing side by side in certain towns, with the more usual English method of local taxation and assessment of a house rate. It seems as if the members of the weavers and other craft gilds were taxed by one method and the other inhabitants by another, and there is some evidence that this arrangement survived in London till Tudor times. I have already suggested that there is a possible explanation of this political anomaly on the supposition that the members of these gilds were alien settlers for whom a special system was provided, just as in the *Domesday* period the *francigenae* of Shrewsbury lived under special conditions or were assessed on special terms. Just as the Steelyard in London, or the Jewry[8] in any town, was a special community with special privileges and special obligations, so may the gilds of weavers have been—a fiscal group of men who were not of, though residing in, the borough where they lived. The men belonged to trades, which were at all events simultaneously, if not previously, organised in the same fashion on the Continent; and the chief of these trades

[1] Such as a town paid to have a gild, Marlborough 9 H. II. p. 46, Pipe Roll Soc.

[2] 31 H. I. (Rec. Com.) p. 114.

[3] 12 H. II. p. 104, Pipe Roll. Soc.

[4] 31 Hen. I. p. 37, Rec. Com.

[5] 8 H. II. p. 49. Et in suo superplus de Danegeldo, Pipe Roll Soc. xvi. s.

[6] Compare the obligations of the bakers in Nottingham in 1378, *Notts Records*, i. 197.

[7] Freville de Lorme, *Rouen*, p. 122.

[8] In the time of Henry II. however the Jews seem to have made occasional fines, not regular annual payments like the weavers. Compare Winchester, 11 Henry II. p. 42 and 12 H. II. p. 104.

flourished in Flanders long before it was practised here as a trade. It is at least a plausible hypothesis that the weavers' gilds were the political organisation of aliens[1], who were neither deported from England by Henry I. nor expelled by Henry II., though they were not at once absorbed in the life of the towns where they lived.

If we assume for the moment that this hypothesis is correct, it serves to give an adequate explanation of another group of facts—the evident unpopularity of the weavers as a class in certain towns in the thirteenth century. The exceptional position of these aliens, even though it was an onerous one, would give a focus to the jealousy of *francigenae* which was felt in the eleventh and twelfth centuries. In those towns where they were specially organised for fiscal purposes, and therefore exempt from contributions to the ordinary burdens, their mere existence—like that of the *francigenae* residents in Shrewsbury,—as non-contributing householders, would be a grievance. Taxation was felt to be oppressive and was sometimes defrayed with difficulty. The officers of the Norman Exchequer may have been more lenient than the modern Income-tax Commissioners, but they doubtless did not make remissions to a town on account of its poverty, without due cause[2]. That the men of Winchester, Oxford, Beverley and Marlborough should do their best to exclude prosperous weavers, who did not contribute to the rates, from the privileges of citizenship, was only natural enough.

Such is the suggested explanation which Professor Ashley says I have read into the facts, instead of deriving it from them. I am not sure that I understand the distinction he intends to draw. The elements of mental activity and imagination have a part to play in the progress of all science; I put forward my explanation tentatively as an hypothesis, I have examined a great deal of evidence which was unknown to me when I wrote, and I find unexpected confirmations of the hypothesis on every side, while I have found nothing to conflict with it. The whole argument rests so much on isolated pieces of evidence and on a tissue of probabilities that it does not amount to a proof, but I think there is an increased presumption in favour of the explanation adopted in this book four years ago. At least I trust I have cleared the ground by giving additional force to Dr Gross's contention that the alternative explanation of the weavers' disabilities,—owing to supposed oppression by Merchants—rests on a misconception as to the composition of the Gilda Mercatoria; considerable ingenuity will be required to reconcile the evidence now available with that opinion.

[1] The names of the weaver and the dyers in the Liber Winton are at all events favourable to this opinion.

[2] Colchester, 8 H. II. Pipe Roll Soc. pp. 11 also 62; to Canterbury (Ib. p. 55) on account of a fire; to Beverley (1 R. I. Rec. Com. p. 9) for a similar reason.

F. PROTECTION OF NATIVE INDUSTRY.

Mr Hubert Hall has called my attention to an interesting proclamation in the Close Rolls, 19 Ed. II. M. 5[d], and has kindly transcribed it for me.

De proclamando ne quis cardones terram Warenciam &c. extra regnum deferre vel transmittere praesumat.

Rex vicecomiti Norhumbr*elande*, sal*utem*. Cum p*ro* com-*m*uni commodo et aisiamento populi regni *nostri* ac *terrarum nostrarum* Hiber*niæ* et Walliæ per nos et consilium *nostrum* ordinatum sit *quod* stapula lanar*um* corior*um* et pellium lanutar*um* in *certis* locis infra eadem regnum et *terras* et non alibi teneat*ur*; q*uodque* nullus dictor*um* regni et *terrarum*, quibusdam p*ersonis* duntaxat exceptis, utat*ur* post festum Natalis Do*mini* proximo futur*um* panno de propria empti*one* sua post idem festum extra *prædicta* regnum et *terras* *facto*; jamq*ue* a nonnullis intellex-[erimus] quod quam plures de p*artibus* Flandriæ Brabanc*iæ* et aliar*um* *terrarum* exterar*um* facturam hujusmodi pannor*um* in regno et *terris* p*ro* virib*us* impedire satagentes omnes cardones qui Tasles vulgariter nuncupant*ur* quos in eisdem regno et terris invenire poterant et sine quib*us* hujusmodi panni fieri nequiunt; nec non terram arti fullonum aptam, Warenciam, waydam butirum et alia *factur*æ pannor*um* necessaria post ordinac*ionem* illam emerunt, et ad p*artes* exter*as* duxerunt et *tr*ansmiserunt et adhuc indies ducere et *tr*ansmittere non desistunt, et quod nequius est, herbam et radices cardonum emerunt et radicit*us* evelli fecerunt ad eas ad p*artes* exter*as* *tr*ansmittendas, in ipsius populi *nostri* dispendium non modicum et jacturam ac ordina-*cionis* *prædictæ* illusionem manifestam. Nos volentes hujusmodi maliciis obviare in hac p*arte* tibi p*ræcipimus* firmiter injungentes q*uod* in singulis locis in balliva tua tam infra lib*ertates* q*uam* extra ubi expedire videris, publice proclamari et ex p*arte* *nostra* firmiter inhiberi fac*ias* nequis m*ercator* alienigena sive indigena sive alius quicumq*ue* hujusmodi cardones terram Warenciam waydam butirum aut alia huj*us* *factur*æ necessaria extra eadem regnum et terras sub *gravi* forifac*tura* *nostra* deferre vel *tr*ansmitt*ere* nec hujusmodi herbam seu radices emere vel evellere p*ræsumat* vel deferri aut *tr*ansmitti, emi vel evelli ad eas ad p*artes* exter*as* *tr*ansmittendas faciat quovis modo. Et si eos post hujusmodi proclamat*ionem* et inhibit*ionem* inven*eris* contra facientes, tunc eos cum cardonib*us* terra Warencia wayda butiro herba et radicib*us* illis sine dilat*ione* arestari et sub aresto salvo custodiri fac*ias* quousq*ue* aliud a nob*is* hab*ueris* in mandatis, et nos de nomin*ibus* hominum ac valore bonor*um* sic arestandor*um* reddas sub sigillo tuo de tempore in tempus distincte et aperte sine dilat*ione* certiores. Teste *Rege* apud Saltwode primo die Junii.

Eodem modo mandatum est sing*ulis* vicecomitib*us* per Angl*iam*.

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