

GREEN ALICE STOPFORD

TOWN LIFE IN THE
FIFTEENTH CENTURY,
VOLUME 2

Alice Green
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Century, Volume 2**

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CHAPTER I

THE TOWN MANNERS

The controversy concerning the bounds and limits of their freedom, which the English boroughs were forced to maintain with powerful organizations already settled in the land – with the monarchy, the baronage, or the Church – represented in the history of each municipality that which in the case of States of greater magnitude we call the foreign policy of the commonwealth. But whatever may be the compass of a dominion, whether it be a borough or an empire, no influence is more potent in shaping the character and destiny of the community than the nature of its external relations. It was in the single-handed conflict with foreign powers, whether superior lord or insidious rival, that the drapers and mercers, the smiths and butchers and weavers of every country town were forced, with a patriotism quickened by necessity, to meddle in matters of State and to concern themselves about the public weal; their

ardours were stirred by legends of an ancient freedom, while their political instinct was trained by incessant discussion of legal precedent and right; and in the strain of perpetual taxation, in heavy burdens imposed upon a people whose prosperity was new, uncertain, or shifting; above all in the strengthening of certain forms of narrow municipal despotism born of the struggle against external danger, they paid the price of a bracing public discipline.

But there is another side of the town history which is not less important, and which is far more complicated than the question of its foreign relations and policy – that is, the problem of its own nature, of the spirit by which it was animated and the inherent resources of its corporate life. In the town a new world had grown up with an organization and a polity of its own wholly different from that of the country. Members who joined its community were compelled to renounce all other allegiance and forego any protection from other patrons. The chief magistrate set over its inhabitants must be one of their own fellow-citizens – “not a far dweller” unless in time of special need, such as war, and then only “by the pleasure of the commonalty.”¹ Adventurers from the manor-houses of the neighbourhood and strangers in search of fortune were equally shut out; and it was only when a county squire was willing to throw in his lot with the burghers, to turn into a good citizen and honest tradesman, and to prove his credit and capacity by serving in a subordinate post,² that he

¹ Journ. Arch. Ass. xxvii. 461, 488.

² Freeman's Exeter, 146-7.

could hope to rise to the highest office. It is true that country folk were welcome to pay a double price for having a stall in the market, or a store-room in the Common House for their wool; while the impoverished knight might come in search of a renewal of his wasted fortunes through the dowry of some rich mercer's daughter. But otherwise the town carried on its existence apart, in a watchful and jealous independence. Its way of life, its code of manners, its habits, aims, and interests, the condition of the people, the local theories of trade by which its conduct of business was guided, the popular views of citizenship and government under the influence of which the burghers regulated their civic policy – all these things must be kept in view if we would gain a clear idea of the growth of the borough from within.

The way of thinking and acting of the new world of traders and shopkeepers and artizans lives again for us in a wholly new literature which first sprang up in England about the middle of the fifteenth century – in Books of Courtesy and popular rhymes as to the conduct of daily life. The first English manual of etiquette appeared about 1430. Germany had had its book of courtesy more than two hundred years before, a set of rules composed for a distinguished society by equally fastidious writers, one of whom laments that his pen had been made “common” by writing about masters and servants, and explains that it was never happy save in describing knights and ladies. In northern Italy a similar book drawn up in the thirteenth century had taken a very different character. There the merchants

and shopkeepers of the towns, impatient of “new ceremonies” brought in from over the mountains which they deemed contrary to all the traditions of the traders of Lucca and Florence and only fit for the degenerate Neapolitans, framed rules to suit their own needs and aspirations. The French followed rather later, at the end of the fourteenth century; and then last of all came the English experiment.³

The very appearance of such a book at this time is most significant. The nobles had already their own literary traditions handed down from an older world; and in the ideal of chivalrous conduct which was enshrined for them in the “Morte d’Arthur,” the Knights of the Round Table still served as a standard of social virtue and good bearing for the upper classes – a standard with which the burghers had nothing whatever to do. But the new literature was for the townsfolk themselves, and it bore on every line the impress of its origin. A growing sense of dignity and self-respect in the middle class of traders and artizans wakened aspirations for polite manners, and intercourse with strangers abroad gave fresh stimulus to social ambition. Englishmen who visited Flanders towards the end of the century were as much impressed by the Flemish manners as by the Flemish wealth: “they can best behave them and most like gentlemen,” was their comment.⁴ In England the new society, with no heritage of

³ Book of Precedence, E. E. Text Society, part ii. 8-18, 79, etc. 143, etc. Manners and Meals (E. E. Text Soc.), 175.

⁴ Paston Letters, ii. 319.

tradition and no recognized array of models in the past, had to create its own standard of behaviour, to shape its own social code, to realize for itself the art of life. Compilers worked busily in the service of the middle-class aspirants. One book of courtesy after another was adapted for the vulgar use. The “Rules of S. Robert,” the good Bishop of Lincoln, whereby “whosoever will keep these rules well will be able to live on his means and keep himself and those belonging to him,” were put into English in a brief form, after wearing a more courtly garb of French or Latin for three centuries.⁵ A Latin treatise on manners was translated for the unlearned by a writer who prayed for help in his work from Him who formed man after His own image, from Mary the gracious Mother, and from Lady Facetia the Mother of all virtue.⁶ Sound codes of morals were put in the form of an A B C.⁷ The right conduct of life, especially as it concerned polite behaviour, was set out in little songs “made for children young, at the school that bide not long.”⁸ Plain directions in verse pointed out the duties of girls, of young men, of housewives, of wandering youths looking for service. The rhymes are of the homeliest kind, with trite and prosaic illustrations taken from the common sights of the market-place, the tavern, the workshop, or the street with its

⁵ Lamond’s *Walter of Henley* 123-145. *Monum. Franciscana* (Rolls Series), i. app. ix.

⁶ *Manners and Meals*, pp. 250, 251, 252.

⁷ *Ibid.* 258-260.

⁸ *Ibid.* 274.

wandering pigs and its swinging signs; it is in their very rudeness and simpleness that their interest lies. Meanwhile political and satirical songs which had been so common in the foregoing centuries mostly died out of fashion and were heard no more, as the burghers, quickened into a new self-consciousness, began to be concerned for a time with matters nearer home.

These fragments of old speech and song lead us into the very midst of the lanes and workshops of a mediæval town. They recall for us the countless political and social troubles amid which the trader was slowly fighting his way upward, and which left their deep impress on his character and view of life. A pervading suspicion, a distrustful caution, are the ground-note of many a song. Rude proverbs of daily speech, jingling rhymes of wise counsel, all are profoundly marked by the narrow prudence of people set in the midst of pit-falls, to whom danger was ever present, whether at the council chamber or at the tavern or at a friend's dinner table, and among whom talk and clatter with the tongue were looked on as an unspeakable indiscretion.⁹ They picture a life anxious and difficult, whose recognized condition is one of toil that knows no relaxation and no end, of hardship borne with unquestioning endurance – a life amid whose humble prosperity family affection and the family welfare are best assured by having one roof, one entrance door, one

⁹ "Take not every rope's end with every man that hauls," ran the warning to the young. "Believe not all men that speak thee fair, Whether that it be common, burgess or mayor." *Manners and Meals*, 183. See *Songs and Carols* (Percy Society, vol. xxiii.) viii. ix. xviii.

fire, and one dining table, and a “back door” is looked on as an extravagance which would bring any household to ruin. After a man had lived hard and worked strenuously he still stood in need of the constantly recurring warning against any bitterness of envy at the prosperity of a lucky dealer next door. The limits of his ambition and his duty are bounded by rigid lines; and the standard of conduct is one framed for a laborious middle class, with its plain-spoken seriousness, its sturdy morality, its activity and rectitude and independence, its dulness and vigilance and thrift. It is the duty of good men to set their people well to work, to keep house carefully, to get through any heavy job steadily and swiftly, to pay wages regularly, to give true weight, to remember ever that “Borrowed thing must needs go home.” They are not to ape their betters in dress, only

“Be as pure as flour taken from the bran
In all thy clothing and all thine array.”

With one whom “thou knowest of greater state” there should be no easy fellowship, no dining or betting or playing at dice; above all there must be no show of overmuch “meekness” or servility, “for else a fool thou wilt be told.”¹⁰ A practical religion adds its simple obligations.¹¹ Men ought to pay their tithes, to give to the poor, to be strong and stiff against the devil. The prayer

¹⁰ Manners and Meals, 182.

¹¹ Percy Society, vol. xxiii. Songs and Carols, see songs xxxii. and xxxv.

on awaking, the daily mass before working hours, the duties of self-control and submission, must ever be kept in mind. For the trader indeed the way of virtue was a narrow one and straight. Three deaths ever stand menacingly before him. First comes the common lot, the mere severing of soul and body.

“The tother death is death of Shame,
If he die in debt or wicked fame;
The third death, so saith the clerks,
If he hath no good works.”¹²

But side by side with directions about mercy, truth, and fulfilling the law, come other warnings – warnings about carving meat and cutting bread and dividing cheese, about a formal and dignified bearing, how to walk and stand and kneel, how to enter a house or greet a friend in the street – all carefully and laboriously shaped into rhyme. In the new sense of changing customs, of fashions that came and went with the revolutions of society,¹³ training and thought and conscious endeavour were called in to replace the simplicity of the old unvarying forms. Manners became a subject of serious anxiety. Throwing aside the mass of tradition handed down from century to century,

¹² Commonplace book of the fifteenth century edited by Miss Toulmin Smith. Catechism of Adrian and Epotys, p. 40, lines 421-8.

¹³ “Men’s works have often interchangeThat now is nurture sometime had been strange.Things whilom used be now laid asideAnd new fetis [fashions] daily be contrived.”– Caxton’s Book of Courtesy (E. E. Text Society), 45.

when every usage was consecrated by custom, and determined by immemorial laws as to the relations of class to class, the burghers, side by side with the professional and middle classes all over the kingdom, were tending towards the realization of a new social order, in which men were no longer obliged as formerly to pass through the door of the Church to find the way of social advancement, but might attain to it along the common high road of secular enterprise. The notion of the worth of the individual man was none the less important for the homely and practical form given to it in their rude and untrained expression. No one, they declared simply, need be shamefaced, of whatever lowly position he might come, for

“In hall or chamber, or where thou gon,
Nurture and good manners maketh man.”

In whatever society he might find himself, the humblest citizen should therefore so order his behaviour that when he left the table men would say “A gentleman was here.”¹⁴ The practical divinity of plain people easily drew the graciousness of outward demeanour within the sphere of religion, and “clerks that knew the seven arts” explained

“That courtesy from heaven came
When Gabriel our Lady grette

¹⁴ Manners and Meals, 271.

And Elizabeth with Mary mette.”¹⁵

Since “all virtues are closed in courtesy and all vices in villany” or rudeness, the best prayer one could make was to be well-mannered, for the virtues of a fine behaviour reached as far as thought could go.

“In courtesy He make you so expert,
That through your nurture and your governance,
In lasting bliss He may yourself advance.”

These books of courtesy show us one side of the great change that passed over society¹⁶ when the mediæval theory of *status* was broken down by the increase of riches which trade brought with it, and the new chances of rising in the world through wealth. The yeoman might become a gentleman by getting into a lord’s household, and “spending large and plenty.” The squire who would be a knight without the danger of bearing arms need only go to the king’s court with his purse full of money. The man of letters, the merchant, the seeker after pleasure, whoever and whatever a man might be, he could win neither degree nor worship “but he have the penny ready to take to.”¹⁷ When the acquisition of wealth or the passage from one class to another

¹⁵ Ibid. p. 265.

¹⁶ The popularity of the “Ship of Fools,” with its trite, long-winded, and vague moralities, is an excellent indication of the intellectual position of the new middle class.

¹⁷ Songs and Carols (Percy Society, xxiii.), song xxx.

was practically impossible, poverty and a low estate might still be dignified. But as soon as fortune and position had been brought within the reach of all, the man who remained poor might be looked on as idle or incapable. A new test of superiority was applied, a test of material prosperity, and by this measure the townsman was judged by his neighbours and naturally judged himself. On all sides we find indications of the excited ambition which had begun to stir in every class,

“Now every boy will counterfeit a knight,
Report himself as good as he.”¹⁸

New distinctions of rank and caste began to appear, and an aristocracy of energy and skill constantly recruited and invigorated made its influence felt in every borough, as public honour was attached to trade in proportion to the wealth which its followers could win. The wool trade especially held a place of distinction in common esteem; and people who took to the selling of cloth were supposed to “live like gentlemen” and rejoice in a really superior station.¹⁹ More and more the enriched burgher hastened to give proof that he had risen into the leisured class by donning the fine dress whose cumbrous folds bespoke a sedate idleness and luxury, so that whereas “sometime afar men might lords know by their array from other folk, now a man shall stand

¹⁸ Songs and Carols (Percy Society, xxiii.) lxxvi.

¹⁹ Hist. MSS. Com. ix. 174.

or muse a long throw which is which.”²⁰

As the chance of rising in the world stirred in the trader a new ambition, so it stirred too the sense of the power of knowledge. When the writer of *Piers Ploughman* counts up the gifts of the Spirit that were distributed among the commons at the descent of the Holy Ghost as “treasure to live by to their lives’ end,” and “weapon to fight with when Anti-Christ assaileth,” he carefully reckons in with the rest the wit to use words skilfully as preachers and prentices of law who live leally by labour of tongue, the crafts and “connyng” of sight by which men win their livelihood with selling and buying, the wisdom to till and thatch and cook as their wit would when the time came; the art of divining and dividing numbers, and all such learning of the schools.²¹ Already the workers of the town were reaching forward, as some of their rough rhymes show, to a true love of learning.²² Their zeal took very practical form. Side by side with the great movement for education which was going on under the patronage of kings and queens, of archbishops and bishops, and great lords and ladies,

²⁰ Book of Precedence, 106. “Money maketh merchants, I tell you, over all.” Skelton’s Poems (ed. Dyce) i. 277.

²¹ “‘Though some be clannere than some, ye see well,’ quoth Grace, That all craft and connyng came of my gift.”— Passus xxii. 252-3.

²² “Son, if thou wist what thing it were, Connyng to learn and with thee to bear, Thou would not mis-spend one hour, For of all treasure connyng is the flower; If thou wilt live in peace and rest Hear and see and say the best.” Book of Precedence, 69. Another rhyme gives the lesson in ruder form. “Learn as fast as thou may and can For our Bishop is an old man And therefore thou must learn fast If thou wilt be Bishop when he is past.”— Manners and Meals, 383.

humbler work was taken in hand by burghers and tradesmen for the teaching of their own people.²³ The founding of free grammar schools all over England was the work of the trading classes themselves. Sometimes the schools were founded by Guilds.²⁴ Sometimes townsmen who had thriven in the world remembered gratefully the place of their birth or their education. “By some divine chance” a “teacher of grammar learning” came to live in Rotherham about the beginning of the fifteenth century, and one of the town boys, Thomas Scott, who had been taught by him about 1430, became in 1474 Lord Chancellor, and in 1480 Archbishop of York. In 1483 he founded a college in his old home with a Provost and three Fellows who were to teach freely any one who came to them. One was to give lessons in grammar, poetry, and rhetoric; the second in music, especially singing, playing, and broken song; and if possible these two were to be

²³ See Manners and Meals, lii to lxii.

²⁴ At Lynn there was in 1383 a Guild “of young scholars”; at Worcester the Guild of S. Nicholas kept “time out of mind a free school within the said city in a great hall belonging to the said Guild called the Trinity Hall.” The Guild of Palmers supported a school at Ludlow; and so did Guilds at Stratford and at Deritend. The Guild of Kalenders in Bristol had in the twelfth century kept a school of Jews, and when that business came to an end were still charged with education, public lectures, and the management of a free library. (English Guilds, 51, 205, 196, 221, 288. See Hunt’s Bristol, 112, 249, 260.) The Drapers had a school at Shrewsbury (Hibbert’s Inf. of English Guilds, 33); and the Merchant Tailors in London (Clode, 35). I learn from Mr. A. F. Leach that at Ashburton the Grammar School founded 1314 by Bishop Stapledon of Exeter (who also founded Exeter College) was entrusted to the Guild of St. Lawrence, whose chantry-priest was the schoolmaster. The school is still kept on the site of the Guild Chapel, the original tower of which forms part of the School.

priests, or at least one of them. The third Fellow was to teach writing and arithmetic to youths who were not intended for the priesthood, but for trades and other employments; for among the children of Rotherham, said the archbishop, there were many who were “valde acuti in ingenio.”²⁵ In the same way bishop Alcock of Rochester, the son of a Hull merchant, established a free grammar school at Hull, where the master was to “teach all scholars thither resorting without taking any stipend or wages for the same, and should have for his own wages £10.”²⁶

²⁵ Hunter’s Deanery of Doncaster, vol ii. 5-6.

²⁶ Bentham’s History of Ely Cathedral, 2nd Edition, 182. Hull Grammar School Gazette, 1891, No. 8, p. 88. See Riley’s Liber Albus, xix. There was a grammar master at Ewelme Almshouse 1461 (*ibid.* 627), where teaching was to be free (*ibid.* ix. 217-8). Four new grammar schools were opened in London in 1447, and during the reign of Henry the Sixth nine were set up in London alone (Pauli’s Pictures, 452). In 1472 Prior Selling, of Christchurch, reports to the Archbishop of Canterbury that he has provided a “schoolmaster for your grammar schools in Canterbury, the which hath lately taught grammar at Winchester and at S. Antony’s in London” (Hist. MSS. Com. ix. 105). John Syre, the grammar school master in 1436, lived in Gayhow’s tenement, S. Alphege parish (*ibid.* 139). The Almshouse of the poor sisters in Reading was in 1486 turned into a grammar school (Coates’ Reading, 15); there was a school in Appleby taught by a chantry priest before the middle of the fifteenth century (Transactions of Cumberland and Westmoreland Arch. Soc. part ii. vol. viii.); and one in Preston whose master was made a burgess in 1415 (Memorials of Preston Guilds, 14). In Liverpool there was an endowed free school before the reformation (Picton’s Memorials, ii. 55-6). Miss Dormer Harris has learned from the town records that the expenses of the grammar school at Coventry in the fifteenth century, were paid by the Trinity Guild – in other words, by the Corporation. It is evident that when William Bingham, who founded a grammar school attached to Clare Hall, Cambridge, says that in 1439 he passed seventy deserted schools in travelling from Hampton to Ripon by way of Coventry (Boase’s Oxford, 108), we cannot infer from this any decay in education. It may have

So in one way or another the work of education went on throughout the fifteenth century – a work whose magnitude and importance have been too long obscured by the busy organizers of the Reformation days, who, for the giving of a new charter or adapting the school to the new system established by law, clothed themselves with the glory of founders and bore away from their silent predecessors the honour of inaugurating a new world. Not only in the busy centres of commerce, but in the obscure villages that lay hidden in forest or waste or clung to the slopes of the northern moors, the children of the later middle ages were gathered into schools. Apparently, reading and writing were everywhere common among the people,²⁷ and as early as the reign of Richard the Second the word “townsmen” had come to mean people instructed and trained, and no longer ignorant rustics.²⁸ But the most remarkable thing about the growth of the new grammar schools was the part taken in their foundation by laymen – by the traders and merchants of the towns. The great benefactor of Sandwich, Thomas Elys, left provision in 1392 for one of the chaplains of his chantry to serve as schoolmaster for the town boys; and the son of a draper who had had his education

indicated a shifting of population, or more probably perhaps the results of the effort made in 1391 to prevent villeins from being put to the clerical schools in preparation for taking minor orders and so gaining emancipation from their lords. Rot. Parl. iii. 294.

²⁷ In the royal accounts the principal artizans in each craft audit such parts of the accounts as deal with labour and sign every page (Rogers' Agric. and Prices, iv. 502).

²⁸ Richard the Redeless, pass. ii. 41.

in this school afterwards founded a grammar school. Sir Edmund Shaa, goldsmith and once Lord Mayor of London, established a school at Stockport by will in 1457, and appointed a chantry priest of the parish church, who, being “cunning in grammar,” should “freely without any wages or salary asking or taking of any person, except only any salary hereunder specified, shall teach all manner persons, children and other, that will come to him to learn as well of the said town of Stopford as of other towns thereabouts, the science of grammar as far as lieth in him for to do.” And another London mayor, Sir John Percyvale, who had been born close to Macclesfield, left money in 1502 to endow a free grammar school there, because there were few schoolmasters in that country and the children for lack of teaching “fall to idleness and so consequently live dissolutely all their days.”²⁹ It seems also that the Manchester Grammar School was first planned by a Manchester clothier, who at his death left money for its foundation; and was completed in 1524 by Hugh Oldham, Bishop of Exeter, a native of Oldham;³⁰ the children were to be taught “after the manner of the school of Banbury,” and inhabitants of the town were compelled to contribute to its

²⁹ The Will of Sir John Percivale, published by the Governors of the Macclesfield School. I am indebted to the kindness of Mr. A. F. Leach for this reference – as well as for that about Stockport, and the reference to the School Gazette and the Town Records of Hull. He informs me that the first school founded by a lay person of which we have as yet any record was at Wotton-under-Edge, and was founded by a woman, Lady Berkeley, in 1385.

³⁰ Baines' Hist. of the County of Lancaster, i. 296-7.

support by being forced to grind their corn at the school mills – a custom which was kept up till 1759.

The new movement marked the beginning of that revolution which was ultimately to take education out of the exclusive control of the Church and hand it over to the people themselves. Up to this time the privileges and profits of teaching had been practically a monopoly of the clergy, and there was no possible competition save that which might spring up between licensed and unlicensed teachers within the ecclesiastical order.³¹ A document drawn up by order of the abbot of Walden tells how the clergy of the parish church there had taught some children of the village the alphabet, and even more advanced lessons, without leave from the abbot, who claimed by the statutes and customs of the monastery a perpetual monopoly of teaching or licensing schoolmasters. A petition was made by the inhabitants in favour of the priests, and in consequence of this petition the abbot, to the great satisfaction of the townsfolk, graciously allowed that every priest of the Church might (during the goodwill of the abbot and convent) receive one “very little child” of each inhabitant, and might teach the child in “alphabete et graciis”³² but not in any

³¹ The author of *Piers Ploughman* criticizes the education given by the clerics of his day. “Grammar that ground is of all” was neglected so that no one could now either “versify fair” or construe what the poets wrote. “Doctors of degree and of divinity masters That should the seven arts conne and assoil *ad quodlibet*, But they fail in philosophy, an philosophers lived And would well examine them, wonder me thinketh!” – Passus xviii. 107-118.

³² The “alphabet and the humanities” did not imply culture in anything like our sense

higher learning; a legal instrument embodying this concession was drawn up by a clerk of the York diocese, and signed with a beautiful notarial monogram which must have cost him the greater part of a day to draw.³³

But under the new state of things another element was brought into the controversy. The town itself occasionally became the aggressive party, and took the teaching straight out of the hands of the priest. An order was made at Bridgenorth in 1503 “that there shall no priest keep no school, save only one child to help him to say mass, after that a schoolmaster cometh to town, but that every child to resort to the common school in pain of forfeiting to the chamber of the town twenty shillings of every priest that doeth the contrary.”³⁴ Burghers accustomed to manage their own affairs easily assumed the direction of education, and the control of schools gradually passed from clerical to lay hands and became the charge of the whole community. In Nottingham, where there had been a grammar school before 1382 at which it would seem that a boy’s education cost eightpence a term,³⁵ a new free school was founded in 1512, probably by the widow

of the word, nor yet Latin from the literary point of view, but the old ecclesiastical discipline, which included above all things *logic*, and which ultimately led, if the pupil advanced far enough, to the scholastic philosophy. Thus for example in the *Epistola obscurorum virorum* one of the (priestly) correspondents is made to protest against the introduction of the study of Vergil and other new-fangled writers.

³³ Hist. MSS. Com. viii. 281-2.

³⁴ Hist. MSS. Com. x. part 4, 425-6.

³⁵ Nottingham Records, i. 246, 263.

of a former mayor, and was put directly under the management of the mayor and town council,³⁶ and as these apparently proved somewhat negligent in the business the Leet jury constantly interfered in the most officious way in the government of the school and the choice and supervision of its teachers. "It will be a credit," they said, "to have a good master and a good ussher in one school."³⁷

Of the intellectual life of the towns we know scarcely anything, and there is perhaps not much to be known. Scholars naturally drifted away to the Universities or London, and the society of the borough was occupied with other matters than learning. In Nottingham, in spite of the educational zeal of the jury, the first evidence we have of a town clerk who knew enough of the classics to quote a line of Vergil and a line of Horace is in 1534-1545; while it is not till 1587 that we find a clerk who had learned Greek.³⁸ On the other hand Bristol was evidently a centre of radiant light. An excellent education was given in its school, if we judge from the famous Grocyn, who was brought up there and left the school in 1463;³⁹ and its society was adorned by men of culture and wide intellectual curiosity. William of Worcester, the enquirer after universal knowledge, a man of science who

³⁶ Ordinances for Dame Agnes Meller's School, Nott. Rec. iii. 453-6. The Mayor of Chester had the payment of the master at Farneworth, Lancashire. (Hist. MSS. Com. viii. 370.) In Coventry the corporation (*i. e.*, the Trinity Guild) paid the master.

³⁷ Ibid. iv. 191.

³⁸ Nott. Rec., iv. 214.

³⁹ Collectanea (Oxf. Hist. Soc.), ii. 334-6.

practised medicine and cultivated his garden of herbs, as well as a man of letters, who at forty-three “hath gone to school to a Lombard called Karoll Giles to learn and to be read in poetry or else in French,” and to whom “a good book of French or of poetry” seemed as fine a purchase as “a fair manor,” might be seen in his later days at Bristol, practising the art of annalist, in which character he surveyed the whole town and carefully measured it by paces from end to end.⁴⁰ His friend Ricart, town clerk and historian, spent the twenty-seven years of his clerkship in writing his Calendar or Chronicle of 332 leaves in six carefully arranged parts, the first three being devoted to history and the last three to local customs and laws, in which he carried the story of Bristol through 3,000 years from the days of Brut to the reign of Edward the Fourth.⁴¹

It was inevitable that the purpose and theory of education should ultimately be modified by the change of masters, as well as by the change of manners, and already fervent reformers like Caxton began to look beyond “the alphabet and humanities” and discuss training in the mysteries of the English tongue itself. Among the “fathers ancient” who should command the reverence of scholars they counted the famous men of their own race and speech – men removed from them by but a generation or two –

⁴⁰ Paston Letters, i. 431. Hunt’s Bristol, 112.

⁴¹ Introduction by Miss Toulmin Smith to Ricart’s Calendar. Lives of the Berkeleys, i. 5, 7. Skelton was possibly a native of Norfolk, perhaps of Norwich. Skelton’s Poems, ed. Dyce, I. v. vi.

Chaucer “the father and founder of ornate eloquence,” Lydgate, the maker of “volumes that be large and wide,” and Occleve; and it is touching to see men, on the very eve of the heroic age of English literature, wistfully looking back to the vanished glories of their grandfather days, when, as it seemed to them, all the “fresh flowers” of style had been reaped by this handful of ancient worthies, and “of silver language the great riches” stored away in their treasury, so that the painful toiler who came after in search of “the embalmed tongue and aureate sentence,” could now get it only by piece-meal, or at the most might glean here and there by busy diligence something to show that he had reverently visited the fields of the blest.⁴² The enlightened zeal of the learned indeed had still to wage a long warfare with the pedants of the schools and the barbaric notions of education that governed men’s minds; and the training vouchsafed to the poor boys of the fifteenth century was then and for many a century afterwards a rude and brutal one.⁴³ No doubt, too, the trader’s

⁴² Caxton’s *Book of Courtesy*, 33-41. See *Manners and Meals*, lix. Skelton’s *Poems* (ed. Dyce), I. 75, 377-9.

⁴³ Directions not to spare the rod were constant. *Manners and Meals*, 384. See the poor boy’s complaint, p. 385-6. Tusser’s lines show that the system was not confined to the lower schools. “From Paul’s I went to Eton, sent To learn straightways the Latin phrase; Where fifty-three stripes given to me At once I had, For fault but small, or none at all, It came to pass thus beat I was. See, Udall, see the mercy of thee To me, poor lad!” Erasmus, in his *Praise of Folly*, singles the schoolmasters out as “a race of men the most miserable, who grow old in penury and filth in their schools — *schools* did I say? *prisons! dungeons!* I should have said — among their boys, deafened with din, poisoned by a fetid atmosphere; but thanks to their folly perfectly self-satisfied so long

view of education, practical as it was, had a touch of unashamed vulgarity. "To my mind," says the Capper in the *Commonweal*, "it made no matter if there were no learned men at all," for "the devil a whit good do ye with your studies but set men together by the ears;" what men wanted was "to write and read, and learn the languages used in countries about us, that we might write our minds to them and they to us." Scholars, on the other hand, trembled at the results to civilization and knowledge of the crude ideals of the mere man of business, who if he had his way would "in a short space make this realm empty of wise and politic men, and consequently barbarous, and at the last thrall and subject to other nations; for empire is not so much won and kept by the manhood or force of men as by wisdom and policy,⁴⁴ which is gotten chiefly by learning." But whatever were their faults it was in the schools as much as in the council-chamber or shop that the revolution of the next century was being prepared; and the wide-reaching results of the spread of education in town and village were potent factors in the developement of a later England. "The fault is in yourselves, ye noblemen's sons," wrote Ascham, "and therefore ye deserve the greater blame, that commonly the meaner men's children come to be the wisest counsellors and

as they can bawl and shout to their terrified boys, and box and beat and flog them, and so indulge in all kinds of ways their cruel disposition." One such master he tells of who to crush boys' unruly spirits, and to subdue the wantonness of their age, never took a meal with his flock without making the comedy end in a tragedy. "So at the end of the meal one or another boy was dragged out to be flogged." Boase's *Oxford*, 76-77.

⁴⁴ The *Commonweal* (ed. E. Lamond), 21-23, 30.

greatest doers in the weighty affairs of this realm.”⁴⁵

⁴⁵ Manners and Meals, xxiv. Cf. *ibid.* xxvi. xlv.

CHAPTER II

THE TOWN MARKET

Close under the sheltering walls of the parish church we may look for the market of a mediæval town, with stalls leaning against the building where possibly the first beginnings of trade had found shelter, where before any market was held the people of the neighbourhood assembled on feast days and sold meat and bread at the church without fear of being called on for any payment for toll and stallage;⁴⁶ and in which, after the community had been endowed with market rights, the rulers and governors of the market met, the guardians of its weights and measures, the makers of its laws, the assessors of its tolls, the supervisors of its wares. There, while the national government was drifting in perplexity at the mercy of court factions, agitated by problems of the King's civil list, pensions to nobles, and the conquest of France, the towns were rapidly sketching out their commercial system and tentatively laying down the main lines into which the national policy was ultimately to be driven.

The market had long been kept out of view by its more showy predecessor the fair – the offspring of an immemorial antiquity, whose very name⁴⁷ betrays its origin in the ancient gatherings at

⁴⁶ See Crosssthaite. Rep. Royal Com. on Markets, 25.

⁴⁷ "Feria" or Saint's day. The place originally held by the fair is illustrated by the

feasts heathen or Christian, and reveals it as an institution derived from old tribal and national usages. Gradually expanding in later times with the growth of the royal prerogative and necessities of commerce, and drawing to its miscellaneous gatherings strange merchants fetched from far and near, the fair had a brilliant history of its own; it had given birth to universal commerce and watched over its growth; it became the foster-mother of the Merchant Law; even now it still appears with the lavish airs of an antique benefactor casting on the green its faded gifts of holyday and merry-go-round and quack delights. But as long ago as the fifteenth century the superannuated fair was already falling into a slow decrepitude, and giving place to its successor, the product of a later order of things.⁴⁸ For the market had another origin and might trace back its descent to the traditions of the Roman *municipia*, and claim the Roman Pandects for its sponsors, and show itself fortified by customs and modes of administration handed down to England with many another legacy from the

ancient custom in Leicester, that when merchants went to the great fairs, when the "fairs were up no plea was holden no more of them that were at home, than of them that were at the fairs;" this was altered by Crouchback's charter of 1277, so that those who stayed at home might be tried in case of complaint. Hist. MSS. Com. viii. 423-4.

⁴⁸ The Fair of Wycombe was held on the Day of S. Thomas the Martyr from time out of mind. It had begun to decline by 1527, and the Mayor and Bailiffs bitterly complained that now scarcely any one came to keep up the fair and that the shopkeepers kept their shops and stalls at home in the town as usual. A strict order was made by the Council in 1527 that "no manner of man nor woman" should keep open shop in the town on that day or show their goods in the street, but should "resort unto the Fair there as it is wont to be kept." Parker's Hist. of Wycombe, 29.

laws of the Frankish kings.⁴⁹ With all its air of being the very work and possession of the people, the market was by descent no popular or tribal right; it was the king's prerogative; its tolls and customs were regulated by the authority of the Justices of the King's Bench, and its prices were proclaimed by the king's Clerk of the Market.⁵⁰

What kings could not themselves profitably enjoy, however, was generally to be bought at some reasonable price. The privilege of holding a market could be transferred as a franchise to a subject, and the whole market system in England grew up by means of royal grants of monopolies to individuals or to corporations. Between the years 1200 and 1482, almost 5000 local centres of organized trade were established by grants of markets and fairs,⁵¹ and the towns were naturally well to the fore in securing whatever bargains were being distributed. But the origin of the privilege was always independent in theory of the ordinary municipal franchises;⁵² and in many important boroughs freedom from the Steward and Marshal of the Household and the royal Clerk of the Market was one of the last rights given to

⁴⁹ Rep. Royal Com. on Markets, 1, 7, 9.

⁵⁰ Ibid. 19, 25.

⁵¹ The grants of fairs and markets in the thirteenth century were about 3,300; in the fourteenth century about 1,560; in the fifteenth century to 1482 about 100; Report on Markets, 108-131.

⁵² Rep. on Markets, 9. On the other hand in Scotland the right of market was one of the ordinary privileges of a trading town. Ibid. 26.

the people.⁵³

Closely connected with the right to hold a market was the right to keep a Beam or Steelyard with its weights, a yard measure, and a bushel.⁵⁴ On the day that each new mayor entered on his office, he received from his predecessor the common chest, the town treasure, and the standard measures; and was required forthwith to send out his councillors to the house of every shopkeeper, baker, brewer, or innkeeper, that they might carry all bushels, gallons, quarts, yards, or weights back to the Mayor's house to be compared with the standard models and duly sealed.⁵⁵ Thenceforth it was his business to make war on spicers and grocers who sold by horn or aim of hand or by subtlety deceived the poor commons, on brewers who used cups and dishes instead of lawful measures,⁵⁶ on drapers who measured after their own devices, on weavers who used stones and not sealed weights to buy their wool; even merchants of the Staple and country squires and foreign dealers brought their wool to the "Trove" or Balance,

⁵³ Ibid. 19. Sometimes not till the fifteenth century, as in Norwich.

⁵⁴ Ibid. 9. For the setting up of the beam and directions about weighing, Ibid. 57, 25. Paston Letters, ii. 106. Kingdon's Grocers' Company, I. xiii-xv., xviii., xix., xxiv. – xxxiii. Schanz, i. 579-82. Towns were compelled to keep standard measures by Stat. 8 Henry VI. cap. 5; 11 Henry VI. cap. 8; 7 Henry VII. cap. 3. The Commons asked Henry VII. to have measures made at his own cost; he agreed, but refused to take the cost. When they were made in 1495 members of Parliament had to carry them back to their several towns from London. 11 Henry VII. cap. 4.

⁵⁵ Boys' Sandwich, 431, 496, 498, 509.

⁵⁶ Report on Markets, 25. Cutts' Colchester, 154-7. Nott. Rec. i. 314-16.

with a fee for the “Fermour of the Beme,”⁵⁷ as soon as general trade proved the inconvenience of a variety of local weights, or of the primitive method of using stones which still survived in the fifteenth century, when a Yorkshire steward writes to his master, “I have a counterpoise weight of the weight stone that the wool was weighed with, and that ye see that the stone be kept that the shipman brings.”⁵⁸

Thus the market with its Beam and measures became the source and centre of an activity absolutely new – an activity which crowded the roads not only with merchants and chapmen, but with the new race of carriers that was created at the end of the fourteenth century to transport the dealer’s wares throughout the length and breadth of the country.⁵⁹ Dealers and manufacturers gathered in groups round the central Cheap and its Balance with authentic sealed weights, and gave the names of their several trades to the alleys in which butchers or milksellers clustered together, or where spurriers and goldsmiths had their shops, and grocers, mercers, wool-dealers, and cloth merchants were ranged in ordered ranks round the Guildhall for the greater convenience of the municipal officers. What the new movement meant we can see in the change that passed over the face of

⁵⁷ Hist. MSS. Com. ix. 152. For the uncertainty as to the stone of wool, Rogers, *Agric. and Prices*, i. 367.

⁵⁸ Plumpton Correspondence, 21.

⁵⁹ Rogers’ *Agric. and Prices*, i. 660. The introduction of carriers and posts was later in England than in France. Denton’s *Lectures*, 190-5.

English boroughs. The first sight of a mediæval town must have carried little promise to the visitor. We have a lively picture of the state of Hythe given by the presentments of its reforming jury in the beginning of the fifteenth century, from which it is not easy to understand how the inhabitants ever made their way about the town at all. Streets were choked with the refuse of the stable, made impassable by the “skaldyng de hogges,” flooded by the overflow of a house, drowned by the turning of a watercourse out of its way or the putting up of a dam by some private citizen heedless of all consequences to the public road. Timber dealers cast trunks of trees right across the street, dyers poured their waste waters over it till it became a mere swamp, builders blocked it up utterly with the framework of their new houses, and traders made their wharves upon it. Not only the most thriving and respectable merchants, such as the Honywodes, but the butcher and swine-keeper as well, threw the waste of house and shambles and swine-cote into the open street till there was scarcely any passage left for the wayfarer; or established a “hoggestok,” “which smells very badly and is abominable to all men coming to market, as well as to all dwelling in the town,” say the jury. There was hardly a street or lane which was not described as “almost stinking and a nuisance.” The “Cherche Weye” was occupied by the pits of a skinner. “There was no carrying through Brokhellislane.” The street by which the procession went on Holy Thursday, the day of perambulation of the town, could scarcely be traversed. Everywhere gates and

bridges were falling to decay, ditches unrepaired, and hedges overgrown; and one offender who had obstructed a road by neglecting to repair the ditches found an easy way of escape from his obligations by a courtesy to the Bailiff – “the dyeing of two cloths that the said ditches may not have to be repaired.” Worse still the Holy Well was choked with refuse, and so was the well in West Hythe, and “the water in the cart of Geoffrey Waterleader by which the whole community is refreshed” was equally obstructed and spoiled by the refuse of the butchers’ shambles. It is no wonder that pestilence devastated Hythe in 1412, as throughout the century it swept over one town after another. But it has been calculated that even without the aid of pestilence the ordinary mortality of a borough in the Middle Ages was almost equal to that of a town during a visitation of cholera to-day. Even the first well-meant efforts of Corporations to shut pigs out of their streets and banish wandering dogs, by levying fines from any inhabitant who had an “irrational animal going about” in the churchyard⁶⁰ or the market, doubtless added to the dangers of pestilence by removing the only scavengers known to the early borough.

Nor was this the condition of the smaller towns only. In Nottingham, a thriving and prosperous borough, we read in the same way of streets blocked with piles of cinders cast out

⁶⁰ Hist. MSS. Com. v. 489. In very many towns the churchyard was without any enclosure even in the fifteenth century. For the overseer of the streets and his hog-man see Boys’ Sandwich, 674.

smoking hot from the bell-foundry or the iron workshops, or with heaps of corn which the householders winnowed, or as they said “windowed,” by the simple method of throwing it from an upper window or door into the street that the wind might carry away the chaff.⁶¹ In the yet wealthier manufacturing city of Norwich the market place was not yet paved in 1507, but a judicious order was issued that no one should dig holes in it to get sand without the mayor’s licence.⁶² The very attempt to get access to a town was often not wholly free from peril. In 1499 a glover from Leighton Buzzard travelled with his wares to Aylesbury for the market before Christmas Day. It happened that an Aylesbury miller, Richard Boose, finding that his mill needed repairs, sent a couple of servants to dig clay “called Ramming clay” for him on the highway, and was in no way dismayed because the digging of this clay made a great pit in the middle of the road ten feet wide, eight feet broad, and eight feet deep, which was quickly filled with water by the winter rains. But the unhappy glover, making his way from the town in the dusk, with his horse laden with paniers full of gloves, straightway fell into the pit, and man and horse were drowned. The miller was charged with his death, but was acquitted by the court on the ground that he had had no malicious intent, and had only dug the pit to repair his mill, and because he really did not know of any other place to get the kind

⁶¹ Nottingham Records, iv. 190.

⁶² Blomefield, iii. 183.

of clay he wanted save the highroad.⁶³

All this heritage of squalor and rough disorder however was no longer accepted without protest. Old abuses were brought to light and denounced.⁶⁴ Towns were swept and garnished, stately market crosses set up, and new Guild-halls everywhere built with shops and stalls and storage rooms for the traders. A new interest was awakened in the state of streets⁶⁵ and lanes and central squares when waggons and pack horses began to struggle through the mire with their loads on market day. And as travellers multiplied – busy men intent on bargains, traders flocking to buy and sell, mayors and clerks of distant boroughs come to negotiate a commercial treaty, men of law having the conduct of a new charter, common earners – all travellers who no longer cared (and some of them for very obvious reasons) to depend on the hospitality of monasteries, the towns with one accord began to

⁶³ Parker's Manor of Aylesbury, 14-15.

⁶⁴ In 1388 town officers were ordered to clean their towns of all that could corrupt and infect the air and bring disease. 12 Richard II. cap. 13. The shambles were commonly at the very corner of the Tol-booth or Moot Hall. Hewitson's Hist. of Preston, 36. See Shillingford's Letters, 89. But in 1487 the Londoners after sixteen years continual remonstrance obtained a statute that no butcher was to kill any beast within the walls of the town, and that the same law was to be observed in all walled towns of England except Berwick and Carlisle. 4 Henry VII. cap. 3.

⁶⁵ A grant for paving was given to Liverpool in 1329. Picton's Mun. Rec. of Liverpool, i. 10. Southampton appointed in 1482 a "pavoyour" who should dwell in a house of the town at a price of 13s. 4d. rent free "and to have yearly a gown." Davies, 119, 120. Nottingham decided in 1501 to have a town pavioir at a salary of 33s. 4d. and a gown; and gave order that the chamberlains were to find stones and sand. Nottingham Records, iii. 309. See vol. i. p. 18, note.

provide inns where, to the greater profit of the community, such men might turn for shelter; and the more luxurious among them might discover good cheer which demanded a grateful entry – “paid for our bed there, and it was well worth it, witness, a feather bed 1*d.*”⁶⁶ Everywhere a new order reigned under the busy rule of the municipal officers, as they leased out the market stalls and sheds,⁶⁷ appointed the corresponding pews in the church, allotted storage rooms in the Guildhall, issued licenses to alien traders, and controlled the wayward will of the sellers by regulating their prices and their profits. Goods landed at the wharves of a seaport were delivered up to the public porters and measurers of the Strand⁶⁸ employed by the town to unload vessels with pulleys and ropes supplied at the common expense, and to carry them to the appointed place for toll or for inspection; and the town brokers – public officers sworn to make no private profit while

⁶⁶ Hist. MSS. Com. v. 493. In Canterbury, where the inns were very numerous, there was a law that no hosteler should “disturb no manner of strange man coming to the city for to take his inn, but it shall be lawful to take his inn at his own lust without disturbance of any hosteler.” Hist. MSS. Com. ix. 172.

⁶⁷ Married women might become merchants on their own account and carry on trade, hold property and answer in all matters of business before the law as independent traders. (Eng. Gilds, 382. Mun. Records, Carlisle, ed. Ferguson and Nansen, 79. Hist. MSS. Com. ix. 174.) Women might become members of the Merchant Gild at Totnes by inheritance, by purchase, or by gift. (Hist. MSS. Com. iii. 342-3.) Their property was carefully guarded, and no tenement held by the wife’s right could be alienated or burdened with a rent unless the wife had given her free consent openly in the Mayor’s Court. (Nott. Records, i. 83, 265.)

⁶⁸ Hist. MSS. Com. v. 540. Boys’ Sandwich, 498.

they held their posts – conducted bargains in the name of the whole community,⁶⁹ freighted vessels, and measured cargoes of corn or canvas or cloth. Before the mayor the endless officials of the market were sworn – the clerk of the market who had to search and survey all victuals, the sergeant who carried the toll-box on market days after the bailiffs,⁷⁰ the “leave-lookers,” the “decennaries,” the “prud’hommes,”⁷¹ the butchers chosen to oversee the meat market, the men appointed to control the sale of fish and poultry, the common weigher, and so on through the long and various list of officials.

A vast system of ingenious and elaborate regulations⁷² marked the long effort of the townspeople to carry out in their new markets the apparently simple end which lay at the heart of the democracy, that food and necessities of life both good and cheap should be within the reach of every man. According to the theory which still held its ground in the sixteenth century that “victual being a necessary sustenance for the body should not be esteemed at the seller’s liberty,”⁷³ a fixed price was set on all provisions.

⁶⁹ The brokers were paid by a fixed tax on the merchants’ goods which passed through their hands. Boys’ Sandwich, 497, 506-7.

⁷⁰ Hist. Preston Guild, 16.

⁷¹ Blomefield, iii. 168. Gross, ii. 43, 175, 220. Nott. Records, i. 445-6, 159, 201; ii. 47, 241. See also the serjeant-at-mace in Sandwich (Boys, 504-5), at Nottingham (Rec. iii. 73).

⁷² For typical market rules see Reading, Gross, ii. 204-7. Southampton, Ibid. 220.

⁷³ See Schanz, i. 621-2.

Hence the Assize of Bread⁷⁴ (apparently quite neglected by the feudal lords⁷⁵) and the Assizes of Beer and of Wine were secured by the towns, whether as a part of their market rights or as an independent privilege.⁷⁶ Victuallers were closely watched lest in selling meat, eggs, butter, or oatmeal they should take “excess lucre upon them, selling that is to say more than 1*d.* in the shilling;”⁷⁷ innholders were allowed a penny of gain on every bushel of corn and a half-penny on every seven pounds of hay, so that if a man could buy a bushel of corn⁷⁸ for 2*s.* 8*d.* he was not allowed to sell it for 3*s.*; tavern-keepers might have twopence profit on a gallon of white or red wine, and on sweet wines

⁷⁴ The loaf was changed in weight not in price with the price of corn; the lowest rate conceived by ancient writers was 12*d.* a quarter of corn; the unit of bread was 1/4*d.* loaf. (Hist. MSS. Com. ix. 175.) Twelve kinds are mentioned in the fifteenth century, but in the Assize only three sorts were recognized – Wastel or white or well-baked bread; Coket (seconds); Simnel, twice baked bread, used only in Lent. (English Guilds, 102. Boys’ Sandwich, 543.)

⁷⁵ Manorial Pleas, Selden Soc. xxxviii. For control of bread and beer at the time of Domesday see Rep. on Markets, 18. In Norwich supervisors of bread were appointed before 1340. The system seems to have worked well, for no troubles as to the assize of bread are recorded, as in other towns. Leet. Jur. of Norwich, Selden Soc. xxxvi.

⁷⁶ Rep. on Markets, 25.

⁷⁷ Hist. MSS. Com. ix. 288. In certain departments, as in the fixing of the prices of bread and ale, in measures, in various rules about buying and selling, the towns simply carried out laws made by the central government; while in other things such as the regulation of the price of meat, poultry, fish, and wine, they were from time to time given authority to fix their own standard.

⁷⁸ Andover, Gross, ii. 310. Cutts’ Colchester, 154-7.

brought by Italian merchants, fourpence;⁷⁹ cooks must make their meat “well seasoned and wholesome, and sell it for reasonable winning, and that they reboil nor rebake no meat in hurt of the King’s people;” while fishmongers – a class most important in the mediæval world, and among whom it was impossible to prevent the growth of the middleman, were subjected to endless regulations.⁸⁰ In the unceasing effort to save themselves from dearth or from fraud the poor commons had their authorized protector in the Mayor – a protector who on entering office took oath before the community not only to obey the King but also to serve the people, and to “keep truly correction on all bakers and brewers and taverners and cooks and such like people.” No sooner was the Mayor of Bristol installed than he was bound to call all the bakers of the town to the Guild Hall, to understand from them what stuff they had of wheat, to counsel them in their buying and bargaining with the “Bagers” who brought corn to the town, and to decide on the size of the loaves. Then all the Bristol brewers were summoned before him, that he might commune with them about the cost of malt, and decree a fixed price which no brewer might evade or alter. In like manner he proceeded to set a price on wood “by his wise discretion,” and to order the hours of its sale; and he had to examine the colliers’ sacks, and

⁷⁹ In 1383 the price of unsweetened wine was practically left to the towns for about a hundred years. Schanz, i. 647. For common consumption wine was sweetened with honey and flavoured with blackberries. Archæol. Cantiana, vi. 328.

⁸⁰ Liber Albus, 289, 373-86, 686-91, Liber Custumarum, 117-120, 385-6. Statutes 22 Edward IV. cap. 2. Hist. MSS. Com. ix. 172.

to assure himself that standard measures for coal were set in the proper places of the town. Further, throughout the year it was his duty constantly to watch that his ordinances were duly observed. Occasionally his walk was extended along the river side, that he might keep an eye on the timber trade and observe whether the great wood called Berkeley wood was discharged at one quay, and the smaller faggots at another landing-place; and that he might from spring to spring watch prices, and see that there was small wood enough to supply the poor people with bundles at $1/2d.$ or $1d.$ kept at the “Back,” a waterside street where the merchants’ stores were piled. At divers times he went to oversee the quality of the bread and try its weight (for which perhaps, as at Sandwich, he engaged a goldsmith who was liberally paid for his experience at the scales); while at Christmas, or whenever there was holiday or a pilgrimage in the town, it was his business to make sure that there was bread enough in the shops to supply all needs. And in order to know certainly that the brewers not only made good ale for the rich but also a cheap small drink for the poor, on Wednesdays and Saturdays he was “used to walk in the mornings to the brewers’ houses, to oversee them in serving of their ale to the poor commons of the town, and that they have their true measures; and his ale-konner with him to taste and understand that the ale be good”⁸¹— a very necessary task if we accept the picture given us in Piers Ploughman of the typical beer-seller of his day —

⁸¹ Ricart’s Kalendar, 81-84.

“Yea, bawe,” quoth a brewer, “I will not be ruled,
By Jesus, for all your jangling after *spiritus justicie*;
Nor after conscience, by Christ, for I could sell
Both dregs and draff, and draw at one hole
Thick ale and thin ale, and that is my kind,
And not to hack after holiness; hold thy tongue, Conscience!
Of *spiritus justicie* thou speakest much and idle.”⁸²

The Nottingham jury a century or two later would have drawn the same picture. “Master Mayor,” they cry, “we beseech you to be good master to us, and see a remedy for our brewers, for we find us grieved with them all.”⁸³

Nor did legislation stop here. The moment a trader came within reach of a town he became the object of universal suspicion lest he should be a dealer travelling with an alert intention to outwit the public and force an artificial value in the market by some contrivance of forestalling or regrating or engrossing – that is of intercepting goods on the way to market in order to buy them more cheaply; of thus buying at advantage to sell at increased prices; or of keeping back goods bought at wholesale prices in order to sell them later at a better value. A jealous watch was kept on him. He was not allowed to do any business secretly or outside the proper limits, but “openly in the market thereto assigned,” and even there he was ordered to

⁸² Piers Ploughman. Pass. xxii. 398-404.

⁸³ Nott. Rec. iii. 357.

stand aside till the townsmen had come back from early mass and had first been served with such stores of corn and malt, of butter and poultry and meat as their households needed, and the bell struck the hour when he might take his turn for what was left.⁸⁴ And as he bought so must he sell only in the established and customary place; and food once displayed on his shelf or stall could not be taken out of the town unsold without leave of the bailiffs.⁸⁵ Any citizen who helped a “foreign” merchant by buying or selling goods for him under his own name lost his freedom.⁸⁶ Men who lived “upland”⁸⁷ were rejected from the society of privileged traders of the towns, and sharp distinctions such as we find at Worcester between the “citizens denizen” and the “citizens foreign”⁸⁸ separated the folk within and without the walls.⁸⁹ In one borough strangers’ stalls in the market were separated from those of the burghers⁹⁰ so that they might not

⁸⁴ Select Pleas of the Crown, Selden Soc. 88-9. Hist. MSS. Com. ix. 172. Gross, i. 45. English Guilds, 353, 381-4.

⁸⁵ English Guilds, 353.

⁸⁶ Journ. Arch. Ass. xxvii. 476. English Guilds, 392.

⁸⁷ Gross, ii. 1 175. Rep. on Markets, 16.

⁸⁸ English Guilds, 390, 392, 406.

⁸⁹ The town liberties did not always extend over the whole town territory. The liberties of Carlisle were confined to a small district in the centre of the modern town, and did not extend beyond the limits of this “ancient city.” Hereford up till 1830 was divided into two parts, the In-Borough where the inhabitant householders had the elective franchise and the Out-Borough comprising all beyond the In-Borough that was under the corporate jurisdiction. Papers relating to Parl. Representation, 1829-32.

⁹⁰ Collectanea, ii. (Oxford. Hist. Soc.), 13.

hinder the townsfolk in their business; in another they were forbidden to carry their wares from house to house;⁹¹ here they might not sell their goods with their own hands, there they must dispose of them wholesale, or forfeit their entire stock to the town if they attempted to sell by retail; elsewhere they had to wait for a given number of weeks after their arrival before they could offer their merchandise to the buyer; if for public convenience aliens were allowed to bring into the market victuals⁹² and a few other articles, the monopoly of all valuable trade was kept in the hands of the burgesses or of their Merchant Guild.⁹³

It is however needless to multiply instances of monopoly. The system was universal, and a curious attempt which was once made to establish free trade at Liverpool died almost as soon as it was born. The charter of Henry the Third contained the usual provision that members of the Guild alone might trade in the borough, unless by consent of the burgesses, but in a new charter of Richard the Second for which he was paid £5 this clause was left out and free trade practically established. No sooner however

⁹¹ Freeman's Exeter, 143.

⁹² Gross, ii. 262. Rot. Hund. i. 356, 3 Ed. i. When an unusual press of people was drawn to the town by some festival or public occasion orders were issued to allow country dealers to bring food within the walls and sell it without paying toll or any other manner of charge. Davies' York, 167.

⁹³ Hist. MSS. Com. v. 606-7. Gross, i. 48-9. See Vol. I. p. 182, n. 4. Sometimes the monopoly was given to the townspeople (Gross, i. 46; ii. 28, 46, 205, 255); in other cases to the Merchant Guild which had power to enroll non-residents among its numbers. (Gross, i. 47, 52, 122, 139, 153, 191, 218.) In cases of abuse there was an appeal to the king. (Rep. on Markets, 25, 60.)

did Henry the Fourth appear in 1399 than the burgesses bought from him for £4 a fresh grant of privileges with the former clause restored, and the old monopoly was consequently reasserted, till oddly enough an outburst of religious bigotry abolished trade restrictions; for seeing that the Liverpool Protestants were shutting out Roman Catholics from their market, Queen Mary in 1555 proclaimed anew the charter of Richard the Second and the right of free commerce.⁹⁴ Sometimes a lively smuggling trade betrays the weak side of the monopolists' position; as when Bristol claimed entire control of all ports and creeks as high as Worcester, and the only lawful trade left to Gloucester was the shipping of supplies, mostly of corn, to Bristol. The shippers of Gloucester saw their chance of a rich lawless traffic; small boats quickly and easily laden and drawing little water, shot out of the channel by shallow passages where the bigger Bristol ships could not follow them, and Irish vessels made their way direct to Gloucester and escaped the heavy dues at the Bristol port; and while Gloucester traders grew rich fast, the Bristol folk made

⁹⁴ Picton's Municipal Records of Liverpool, i. 17, 18, 28. It is evident that the system of protection was not universally popular, for when in 1515 a commission was sent to examine why Liverpool had so decayed that its contributions to the Exchequer had fallen off, a complaint was made that the mayor had caused the decline in the customs revenue by the enfranchisement of strangers living in the borough, who were thus freed from the payment of dues that had once gone to the Crown. (Picton's Memorials, i. 38.) Leland writing in 1533 says: "Irish merchants come much thither as to a good haven," and in the margin he adds, "at Liverpool is a small custom paid that causeth merchants to resort." The trade of later days had even then begun: "Good merchants at Liverpool, much Irish yarn that Manchester men do buy there." (Ibid. i. 46.)

complaint that they were threatened with ruin.⁹⁵

This elaborate system of trade regulation was no doubt mainly due to the effort which men were forced to make, as centres of thicker population grew up in a country where the carriage of goods⁹⁶ was a slow and difficult matter, to protect themselves from violent changes in the price of food;⁹⁷ while it is also possible that a society which dictated wages and profits was naturally drawn on to undertake the corresponding duty of fixing the value in food and clothing of these wages and profits. It would seem that for some centuries the cost of mere subsistence remained almost stationary; and even in exceptional cases, like the Jubilee of 1420 which brought a hundred thousand pilgrims to Canterbury, the corporation which had charge of the preparations was able to ensure that there should be no increase in the ordinary price of provisions.

It has been commonly held, however, that the old trade laws

⁹⁵ Fosbrooke's Gloucestershire, i. 204-8. For the trade with Wales, *ibid.* 156-7. See also the rovers of the Forest of Dean and the troubles of Tewkesbury and Gloucester, in Stat. 8 Henry the Sixth, cap. 27. There were similar disputes between Shrewsbury and Worcester as to the limits of their jurisdiction over the Severn. (Owen's Shrewsbury, i. 300.)

⁹⁶ To encourage the carriage of corn in some places, probably in many, while the toll on every horse laden with a pack of marketable goods was 1*d*/.], a corn-laden beast was charged only one farthing. (Materials for Hist. Henry VII. vol. ii. 332.) For a case of toll illegally levied on victuals see Rep. on Markets 57.

⁹⁷ Collectanea (Oxford Hist. Soc.), ii. 120; 50-51. In the sixteenth century when the victuallers' laws were no longer enforced to any extent, other measures were found necessary to keep a constant supply of corn in the bigger towns.

were not only invented to protect the people's food, but to protect wages and profits as well; and they have been denounced as the outcome of an ignorant selfishness; and as proving the belief of the mediæval burghers that the industrial prosperity of the whole community could only be assured by their securing so complete a monopoly of the entire trade of the borough that they might themselves reap all the fruit of their enterprise and gather wealth undisturbed – a belief to which modern democracies (with one great exception) still cling, though they throw a grander air over their creed now-a-days by discussing protection in continents instead of protection in a little market town. But it seems likely that protection in the modern sense had scarcely anything to say to the great mass of mediæval legislation about trade. No doubt it was the natural ideal of every craft to have the State for its nursing-mother; but the voice of the crafts was lost in the monotonous reiteration by the general public of their dominant principle, that manufactures and commerce only existed for the benefit of the whole community – the “poor commons of the realm,” to use the phrase of that day. It was for *their* protection that no unlicensed or unregulated trade should be allowed to exist, that there should be no fraudulent manufactures, no secret breaking down of barriers set up by Parliament for the orderly division and control of crafts, no buying and selling by forestallers, public enemies to the community and to the country, hastening by land and by water to oppress the poor;⁹⁸

⁹⁸ See *Collectanea* (Oxford Hist. Soc.), ii. 49.

and rules devised to check a public mischief or secure a public good are no more to be classed as protective than regulations for the sale of drugs or the licensing of public houses in our own day. Such rules indeed were often as unsolicited by the trader as they were agreeable to the public, and all his cunning was exerted to elude them. Some little margin of profit was to be won beyond the city boundaries where there was freedom from the city law and from the city tolls. Therefore the London corporation complained that the butchers of London “who have bought their freedom and are sworn of the franchise, do rent their houses at Stratford and round Stratford, and never come at any summons nor bear their part in the franchise of the city; but shut out the citizens (resident butchers) in divers markets where they ought to buy their wares, so that through them no wares they can get to the great undoing of the citizens.”⁹⁹ Bakers withdrew themselves “into the foreign” to avoid punishment for frauds.¹⁰⁰ Candlemakers established themselves in the suburbs, and butchers were presented “for selling of his tallow into the country and will not sell it to a man within the town,”¹⁰¹ or for carrying tallow in sacks at night out of the city for the making up of candles; and being punished were ordered to leave candle-making to the chandlers, who on their part were commanded to keep within the boundaries. In Canterbury, where owing to

⁹⁹ Riley’s Mem. 180.

¹⁰⁰ Ibid. 181.

¹⁰¹ Nottingham Records, iii. 354. Hist. MSS. Com. ix. 172-5. Ibid. v. 531.

the great number of ecclesiastical tenants the main burden of taxation was thrown on a part only of the population, and where doubtless taxes were correspondingly high, there came a time at last when traders of every kind, cloth-makers and brewers and bakers, carried their business outside the “liberties,” so that according to the story of the mayor and council “formerly there were divers and many habitations in which of time past were kept good and notable households, by the which many men and women were relieved and had their living and increase, being now uninhabited and greatly decayed, and some of them fall to ruin and utter destitution ... and it is well understood and known that the principal cause thereof” was this wicked device of the independent dealers, by which the tradesmen in the city who had to pay “tax, tallage, and other impositions,” could not compete with those outside and “have not the sale and utterance of their bread and ale, as they in times past have had, to their great impoverishing, and manifold hurt and prejudice to the commonweal of the said city.” The suburban bakers sold their goods to “divers and many simple and evil disposed persons of the city as well to Scots, Irish, and other, which in no wise will apply themselves to any labour or other lawful occupations, but only they live upon sale and huckstry of the said bread, beer, and ale, and for that they have resorting unto them many vagabonds ... whereby many well disposed persons be greatly annoyed and grieved.”¹⁰² To restore trade to its primitive simplicity a law was

¹⁰² Preamble of Canterbury regulations for brewers and bakers drawn up in 1487.

passed with clauses against the mercenary Scotch and Irish, the troublers of the city's peace, and dealers were forbidden to sell their provisions "to no inhabitant within the said city, but only to such persons as shall be thought by the mayor and aldermen of good disposition and conversation."¹⁰³

The prejudice against unregulated trade was no doubt reinforced by the hostility of the town dealer to competitors who thrived at his expense on illegal profits; but it was probably the governing body of the town which maintained the most serious opposition to all traffic that depended on the cheating of the common treasury of the borough.¹⁰⁴ For no trifling part of the town revenue came, as we see from the Nottingham records, from fines paid yearly by non-freemen for the privilege of holding a stall in street or market. In Canterbury "Tollerati" paid for the right of buying and selling during a limited period, and at the end of the time renewed the right by a fresh payment of what was called "Tolleration money";¹⁰⁵ alien traders living

(Hist. MSS. Com. ix. 173.)

¹⁰³ Ibid. For suburban trades see girdlers and embroiderers in London. (Schanz i. 608. Rolls Parl. iv. 73.)

¹⁰⁴ For the attempt at free trade in Winchester in 1430, following the example of Coventry and New Sarum, see Gross, ii. 261. Another rule of the assembly in the same direction was passed in 1471, apparently in the attempt to find a new source of income for payment of the ferm. Ibid. 262.

¹⁰⁵ Muniments of Canterbury. In Southampton there was a class of Out-burgesses who did not live in the town; they were allowed to vote for a mayor and members of Parliament, but might not be present at a common council. (Davies' Southampton, 197.)

without the liberties, there known as “intranses,” took in Romney the name of “extravagantes.” Some towns shewed a jealousy of strangers, dictated no doubt by special circumstances; as in Preston, where the “Foreign Burgesses,” as distinguished from the “Inn Burgesses,” were drawn from the country gentry and squires and some inhabitants of the town,¹⁰⁶ and were merely freed from toll¹⁰⁷ for any goods bought for the use of their families, but were allowed no other profits of trade, and even though they were inhabitants had no right of common on marsh or moor, nor could they join in the election of any town officer nor be themselves elected;¹⁰⁸ while even with these restrictions no trader who lived outside the walls was admitted among them,¹⁰⁹ and it was only in course of time that alien dealers were gradually allowed on payment of a fine to set up stalls in the market-place and carry on their business under the name of “stallingers.” In general, however, an open purse was all that was needed to commend a stranger; and if the charge on it was sometimes excessive it seems to have been enforced mainly as a means of persuasion to enter the Merchant Guild.

But for whatever reason the regulation of trade was thought desirable, whether to protect the consumer’s pocket or to fill

¹⁰⁶ Preston Guild Rolls, xvi. xx.

¹⁰⁷ For breach of this custom see Rep. on Markets, 57 (Wallingford), 60-61. (Bosworth, Lafford.)

¹⁰⁸ Preston Guild Rolls, xii.

¹⁰⁹ Ibid. xii. xxiv. xxix. xxx.

the town treasury, it certainly was not intended to keep buyers and sellers at home, to hamper their enterprise, or to abolish competition. If protection and monopoly were allowed to look big, they were never allowed to get seriously in the way of business. In theory and sometimes in fact iron chains might be flung across the King's highway, bars thrown athwart the river, and custom house officers set at the gate to levy toll and stallage.¹¹⁰ But gates and bars and chains swung open everywhere before the trader "if he have the penny ready to take to;" the guilds enlarged their rolls for foreigners,¹¹¹ the towns granted them their privileges liberally. Since a man could hold citizenship in more than one borough a speculator or merchant doing business in a large way might always circumvent the rules against foreign dealers by being made citizen in some convenient trading centre as well as in his own town,¹¹² and so obtain power to carry on the business proper to an alien speculator with all the privileges of a resident burgher. Every pedantic hindrance, indeed, was removed out of the way of his enterprise, for a very slight study of town records disposes of the idea

¹¹⁰ Rep. on Markets, 61.

¹¹¹ In 1209 there were fifty-six foreigners in the Shrewsbury Guild; forty years later they had increased to 234. (Hibbert's *Influence and Development of English Gilds*, 18.)

¹¹² Many merchants of Lynn were made freemen of Canterbury and also admitted to the Brotherhood of the Monastery, by letters of fraternity which gave them a share in certain spiritual benefits. Is it possible that any trading privileges were connected with this?

that mediæval trade was ultimately governed by the formal laws of statute books. Monopoly was broken through whenever it was advisable or convenient for special occasions. Bakers and victuallers who rose to municipal offices turned the assize of bread and the inspection of cooking houses and fish stalls into an idle tale. In the hands of merchants the laws of buying and selling were manipulated so as to interfere neither with the free circulation of goods nor with the instinct of the dealer to buy in the cheapest market and sell in the dearest; and it was still left possible to carry food where it was most needed, whether to supply a manufacturing centre such as Norwich or a city which was rapidly doubling its population like London.¹¹³ If the law ordained that the forestaller was to be heavily fined for the first offence; for the second to lose his merchandise and be put in the pillory; and for the third to be deprived of the freedom of the city, the law was simply ignored, or some trifling fine was inflicted – a paltry sum which a prosperous trader might easily disregard.¹¹⁴ In fact it would almost seem that the actual result of the trade laws was mainly to give the rich wholesale merchant an additional advantage over the poor trader. Forestalling and regrating became the fashionable privilege of town councillors and magnates who through their position and their wealth found it doubly easy to evade local ordinances, of London merchants

¹¹³ As far away as Nottingham oxen and sheep were forestalled and sold to butchers of London. Nott. Rec. iii. 48.

¹¹⁴ Leet Jurisdiction of Norwich (Selden Soc.), lxxiv.

who were buying all over the country to supply the needs of the growing city, and of dealers on a large scale interested in the export trade; while the terrors of the law served as an effective deterrent to struggling hawkers and chapmen against meddling with the profits won by more exalted speculators from a customary if illegal traffic.

The real foundation of free trade throughout the country, however, and that which alone gave any value to local arrangements and individual privileges, is to be found in the early town charters, where this great gift had a leading place. Almost the first boon asked for by a borough was a grant which should make its burghers or its merchant guild quit of tolls and pontage, and stallage and lastage, throughout the whole kingdom, in fairs and throughout sea-ports, in lands on this and on the other side of the sea; and give them power to buy and sell throughout all England, within cities and without, all kinds of merchandise; with the right to have stalls in other markets than their own without paying stallage, and to buy in such markets at all hours and not only those allowed to strangers. Each charter moreover had wrapped up in it a kind of "favoured nation" clause which gave to boroughs "such liberties as the city of London hath" – a clause which seems to have been interpreted (at least as to one of its meanings) as implying the right for burghers to buy and sell in gross in another town than their own on other than market days, and that "they may have in this respect as much liberty as

the citizens of London.”¹¹⁵

In its wide and unstinted privileges a charter such as this – the grant of a king who was lord of all fairs and markets – expressed the whole spirit of free trade; at a word local monopoly and protection in its true sense were swept away, and every market in the country opened to any trader duly enrolled as a burgher or a member of the Merchant Guild. The question indeed still bristled with difficulties. As the king was constantly giving away or selling his rights, or part of his rights, over markets, there were innumerable cases when the special grant to one town to hold a market without disturbance, and the more general license to its neighbour to consider itself free of all market dues, were wholly irreconcilable; and the law held that no charter of freedom could interfere with any earlier rights granted to any other person or corporation to levy tolls on transport, on crossing a bridge, on entering a gate, on taking up a standing in the market, or the like. In cases where two charters were found to bestow conflicting rights, therefore, the towns set their best lawyers to search out old evidences and records, and to claim the protection of judges of the King’s Bench or of Parliament for the grant that boasted of the greater age.¹¹⁶ The preliminary question of priority of

¹¹⁵ Select Pleas of the Crown (Selden Soc.), 88-9.

¹¹⁶ Case of the Abbot of Westminster against Southampton. Rot. Parl. i. 20-21. Trial before the King’s Bench at Westminster in 1201 where the Burgesses of Northampton claim that unjust toll is taken from them by the Abbot of Thorney, which he defends by virtue of custom and an older charter than Northampton. Select Civil Pleas (Selden Soc.), i. 11. See a case at Plymouth, 1495; Hist. MSS. Com. ix. 273. Leicester

rights having been thus decided, the next step was to remedy the dead-lock of business to which the two communities had been brought by means of formal treaties such as nations make to-day, in which the right to levy toll and custom was probably used as systems of tariffs have been used in modern states – as a means of bribing or threatening refractory neighbours into some concession of free trade.¹¹⁷ Southampton made its separate treaties with at least seventy-three towns or trading corporations besides all the “honours” of the kingdom, releasing them from payment of its tolls and customs; its burghers had their own compact with Marlborough¹¹⁸ in which they waived such privileges as they possessed by their own earlier charter; with Bristol they settled the amount of the tax to be levied on Bristol men who brought merchandise to their market; they agreed with the men of Winchester that no tolls should be asked on either side;¹¹⁹ and in 1501 their treaty with the Cinque Ports was ratified by “your lovers the bailiff and jurats of Hastings.”¹²⁰

and Nottingham; *Ibid.* viii. 416-417. Southampton and Bristol; Report on Markets, 56. Winchester; *Ibid.* 55. See also *Ibid.* 62; Gross, ii. 257-8; 177-182; 147; 379. A merchant from the Cinque Ports who insisted on the privilege of burgesses to pay no toll with regard to some wool in Blackwell Hall, in the time of Henry the Eighth, had to defend his rights and won his case.

¹¹⁷ Retaliation in taking of toll is expressly mentioned in the charter of London. Stubbs' *Select Charters*, 104.

¹¹⁸ 1238. Gross, ii. 173-174.

¹¹⁹ Gross, ii. 256.

¹²⁰ *Hist. MSS. Com.* xi. 3, p. 16. For agreement between Southampton and Portsmouth 1239, Marlborough 1239, Bristol 1260, Netley Abbey 1288, Bishop of

Undermined as they were on all sides, and with gaping breaches everywhere, the walls of protection which the boroughs had thrown up round their markets certainly formed no impediment to the movement of local trade. Before the impatience of traders greedy for gain, artificial frontiers and barriers and tariffs were swept away, and from little self-contained communities where the cottagers grew their own food and spun their own wool and asked scarcely anything from outside save fish and salt and a little iron, the boroughs grew rapidly into centres of expanding commerce. To supply their needs or their luxuries they despatched their traders far and wide. When Ely sent for John of Gloucester, the famous bell-founder, to make the four great bells for the cathedral, messengers had to go to Erith for clay, and to Lynn and Northampton for copper and tin.¹²¹ The Nottingham goldsmith was employed to repair the cross in Clifton Church, and its “alabaster man” supplied the faithful in London with little statues of the Baptist in appropriate shrines.¹²² Buyers of wool and sellers of cloth, saddlers, butchers, fishmongers, hawkers of all sorts, obtained from the mayor and commonalty of their

Winchester 1312, Lymington 1324, New Sarum 1329, Coventry 1456, see Davies' Southampton, 225-228; Abbot of Westminster Rot. Parl. i. 20-21. Other instances Rep. on Markets, 40-41. Select Civil Pleas (Selden Soc.), i. 11. Nottingham Rec. i. 55, ii. 349, 362. Gross, ii. 389-90, Hist. MSS. Com. ix. 212.

¹²¹ Journ. Arch. Ass. xxvii. 416-7. When a gun was made for Lydd, metal for it was bought at Winchelsea and Hastings. (Hist. MSS. Com. v. 516-517, 521.) The Nottingham founder sent to Lincolnshire for his bell metal. (Nott. Rec. ii. 143, 145).

¹²² Ibid. ii. 179; iii. 19, 21, 29.

borough letters of free passage throughout the kingdom for the carrying on of their business¹²³ and kept up incessant intercourse between town and town. Everywhere busy forestallers were on the look out for eggs and meat and corn, and bought up supplies all over the country for London or some big town or for the export trade, or turned their privileges under the clause of London liberties into a means of buying wholesale all the week long as regrators in order to sell at a profit on market day, while on that day itself they were out at cock-crow to buy privately when the citizens were at mass, so that by six o'clock there was nothing left in the market for the good folk of the town.¹²⁴

As we look at this mighty volume of commerce pouring from town to town with a steady force that swept all obstacles out of its channel, we may well begin to doubt whether the burghers of the middle ages were indeed stupidly putting their necks under a hard yoke of arbitrary law, and wilfully destroying their own prospects by preferring bondage to freedom, or sacrificing general prosperity to local greeds. The mediæval system, until it began to fall into the decay that precedes death, was in fact the minister to fine and worthy ends. In a society where few rights existed save by way of privilege, the trading "communitas," whether the borough or the guild, did actually serve as the great engine for the abolition of restrictions, for extending privilege, and throwing open a national commerce. There was a time when

¹²³ Hist. MSS. Com. viii. 414.

¹²⁴ Select Pleas of the Crown (Selden Soc.), i. 89. Rep. on Markets, 50-52.

every new chartered association was an actual widening of free trade; and a man entered the community of a town for the same reasons that he might to-day take out letters of naturalization in a country where his business lay – not to be ensured against competition, but to share in all commercial privileges which it had won by treaty, and in case of peril to own the protection of its flag. Each town had its own privileged “community” and recognized the “community” of the neighbouring borough; and it was by this mutual recognition only that intermunicipal treaties became possible, or that any borough could ascertain the limits of its responsibility for members in foreign fair or market, could pledge itself to the fulfilment of its treaties, or have any guarantee for redress in case of wrong.¹²⁵ In the detailed municipal legislation about debt and surety and mutual responsibility, about punishment of violence, the suppression of an individual traitor to the common weal, the protection of a community from false dealing of any of its confederate states, we may plainly see how local monopolies had come to be far more significant from the point of view of public order and general intercourse than of private wealth. Monopoly and protection in fact had put on the garb of a necessary office and service. Instead of gaolers who kept the trader fast bound at home, they were the strong guardians who attended him as he went abroad, the fore-runners who cut down before him the chains that barred the

¹²⁵ See Calendar of Letters from Corporation of London. 1350-1370, ed. by Dr. Sharpe.

highway, the ministers of justice that tracked out in his service the fraudulent debtor, the pledges to him in every danger of the vigilance and power of his native town. To each community they were the bonds of a civil order and the tokens of a corporate fidelity.

CHAPTER III

THE TOWN TRADER

With the appearance of the new commercial society in the boroughs we feel that the history of modern England has begun. By the formation of a prosperous middle class, a new type of character was introduced into English life – a type which lay altogether outside old traditions, and was as far from imitating the confident superiority of classes that held the mastery by traditional right, as it was from preserving the simplicity and resignation of the masses of those who confessed a hereditary duty of subjection. The mediæval burgher was trained in a rough school. Owing nothing to class or family or patron, roughly judged and consigned to his own place in the ranks by the test of competition in its simplest form, the industrial rivalry between man and man, the trader had no helper if he did not help himself. Merchants burdened with little capital, like the trader pictured by Holbein in his Dance of Death carrying all their store of wealth bound up on their persons, and free to change their residence as often as commerce offered brighter prospects elsewhere, wandered from town to town, leaving no trade unlearned, no fair unvisited at home, and no market forgotten abroad. Craftmasters equally destitute of money had to trust to their own wit in the struggle for life, and became practised in vigilance and patience,

thrift and caution, in the contempt of hardship, in strenuous and ceaseless activity. The discipline of trade was severe, and the conditions of prosperity hard. If a gentleman intruder appeared among these men hoping to find an easy way to wealth in the more respectable forms of business to which the county families alone condescended, his experiences were watched with contemptuous good humour by the burghers, who knew the hardships of the road.

“I have made many a knight both mercer and draper,”

says the merchant in a mediæval poem,

“Paid never for their prenticehood not a pair of gloves;
But chattered with my chevesance, [bargains] cheved
[prospered] seldom after.”¹²⁶

The feeble and incompetent fell away before the severity of the tests applied, and the trading class was constantly undergoing change. Perhaps some sturdy Jewish stock, like the Phillips of Birmingham, held their own for three or four centuries;¹²⁷ but more commonly families spring up into importance and for one or two generations hold the first place in the payment of taxes,

¹²⁶ Piers Ploughman. Pass vii. 250.

¹²⁷ These can be traced from 1285 to the time of James I.; they were probably Jews who had come with the Conqueror and were allowed to get land. Survey of Birmingham, 50.

and have control of the chief offices of government, till after the third generation the name disappears from the account books.¹²⁸ The family has died out, or broken down under the stress of competition, or it has settled upon an estate bought in the country and become merged among the county squires; and some new stock comes in to fight its way with fresh energy and enterprise.

In picturing to ourselves the life of a mediæval borough it sometimes happens that, with our constant tendency to exaggerate the strangeness of the past, we perceive only an existence so straitened and humble in condition that all sense of distinctions is lost, and we create a false monotony, supposing that because in that remote world business was carried on in a narrow sphere men's fortunes were therefore more equal, or that the general level of commercial prosperity was necessarily more uniform than it is now. But everything we know of town life, from the moment when the boroughs come into view, forces home the conviction of an inequality of circumstance and wealth as sensible as any that we recognize in the later Middle Ages; of a society which was at no time either simple or homogeneous,

¹²⁸ For example William Hollingbroke of Romney, whose wife Joanna sold blankets in 1373, was one of the members sent to Parliament and headed the list of taxpayers in a ward named after him Hollingbroke Ward from 1384 till 1401. Then his widow took his place till she retired from business in 1404, and the once opulent family, for a time represented by a single trader Stephen, seems finally to have become extinct in 1441. The chief position in local trade then passed to the Stuppeneyns who settled in the town in 1436 and whose local fame is still recalled by the fact that even now the yearly election of the Mayor of Romney takes place in the church of S. Nicholas at the tomb of one of them who was Jurat of the town.

and where the plutocrat and capitalist held as imposing a place and bore himself in as lordly a fashion, considering the limits of his stage, as his descendants of modern times. The secret of wealth was first found, as it was long kept, by the butchers, brewers, and victuallers of one kind or another. There were in every borough men like Andrew Bate, the butcher of Lydd, who became “farmer of Dengemarsh,” and kept the town in a ferment for years, whether with his herds of cattle which overran the marsh pastures and trespassed on his neighbours’ fields or commons so that they could not “occupy in peace,” and would rather sell their land than be so “grievously hurted by the cattle of Andrew Bate;” or with his heavy tolls for the “Western men” who came to dry their whiting on the nesse, and found him a hard “extortioner” who “had driven away half Dengemarsh”; above all with his ceaseless activity in extending his borders over the doubtful limits that parted the lands of the town from the lands of the Abbot; so that though the corporation in 1462 insisted on a careful marking out of their frontiers, and years later were labouring to have him supplanted in Dengemarsh by another burgher, Bate was evidently victorious, and ended by seeing his brother, who had been trained in the law probably with this object, appointed Town Clerk and practical controller of the affairs of Lydd.¹²⁹ In like manner the rich fishmonger, Daniel Rowe of Romney, who sent his oysters, crabs, lampreys, and trout to London, the eastern counties, Cambridge, and along

¹²⁹ Hist. MSS. Com. v. 523-531.

the valley of the Thames as far as Wallingford, and fetched back in their stead boars, calves, porkers, and bacon, ended by being made Town Clerk of Romney¹³⁰— as indeed became an educated man, who kept his daybooks, where all the travelling expenses of men and horses were carefully set down, in Latin. So also the Romney vintner, James Tyece, who began life in a very small way in 1387, was important enough in 1394 to be sent on a deputation to the archbishop; in 1398 he was Jurat, and in 1414 held so much land that his property was made into a separate ward named after him in 1432.¹³¹

In short in every town the bakers, brewers, vintners, cooks, hostellers, and publicans “built their nests high” buying burgages out of the pence of the poor,¹³² and in spite of law and ordinance walked the streets in the furred mantles of aldermen, entered

¹³⁰ Between 1353 and 1380. *Ibid.* vi. 545. *Ibid.* iv. 1, 424-8. *Ibid.* v. 533. The mayor of Liverpool, who in 1380 had property to the value of £28 6s. 4d., made up of domestic utensils, grain in store, wheat sown, nine oxen and cows, six horses, and eighteen pigs, was no doubt a very rich man in his own borough. *Picton's Mem. Liverpool*, i. 30.

¹³¹ *Hist. MSS. Com.* v. 534, 535, 536, 539, 541-3.

¹³² *Piers Ploughman*. *Pass.* iv. 83. A prosperous cook at Oxford in 1400 married his daughter to one Lelham “Dominus de Grove.” By the marriage contract the cook was to give to Lelham twenty marks to be paid at intervals; to the bride and bridegroom he was to give three tenements in Oxford; he was to make provision for them in his own house for eight years, and when after that they were to be set up in a house of their own he was to provide them with a bed, blankets, sheets, and all other furniture needful for the same bed, a vessel for water, a wine vase, two tablecloths, two towels, twelve silver spoons, two cups, two brass pots, one chawfre, four plates, one dozen vessels for garnishing the supper, two salts, two candle-sticks. *Hist. MSS. Com.* xi. 3, 75-6.

the council chamber, kept the treasure chest as chamberlains – issuing prudent versions of the town accounts calculated for the public eye, and themselves regulating the assessments for taxes in the interests of their wealthy fellowship – and presided over the courts of justice, where they administered the assizes of bread and beer for the benefit of the fraternity; while for their services they required a part of the common land to be enclosed for their use, or pastured their flocks at the public expense, and in a thousand ways gathered in for generations the harvest that then ripened for men in authority.¹³³ No law could shut them out from the mayor’s seat; and carrying away from office the robe of “clean scarlet” which gave them the chief places among the powerful members of “the Clothing,”¹³⁴ they still dominated over a helpless people, with scarcely any check save from the jealousy of their fellow traders. Thus all Canterbury was disturbed in 1507 by the brewer Crompe who, having been mayor for a year, returned to his former business on leaving office, and went about busily canvassing the small retailers, promising that if they would sell Crompe’s beer he would be their “very good master whatsoever they had to do in the Court Hall,” and that he would see to it that their pots should not be carried off on charges of short measure to the Hall. In

¹³³ See Nott. Rec. iii. 74-76, 342, 353, 358-60, 461, 463. The holding offices of all kinds by victuallers and brewers was forbidden (Stat. 12, Ed. II. cap. 6. 6 Ri. II. st. 1, cap. 9, H.M.C. ix. 174, xi. 3, 19), as a protection to the people from fraudulent administration of the laws concerning food; but these statutes were everywhere broken.

¹³⁴ (See pp. 352-3.)

cases of this kind remonstrance from the people seems invariably to have been perfectly useless, and the only complaint recorded in Canterbury was that of the rival brewers, who met Crompe's competition by an appeal to a custom of the town that the mayor should altogether forsake the victualling trades; in the course of the half century there had been, it was said, at least six mayors who had "lived like gentlemen" for the rest of their lives after leaving office, and though this polite profession allowed them to carry on the business of drapers or cloth manufacturers, it was proved that one ex-mayor who had been a brewer as well as draper left off his brewery and never returned to it; while another who was a baker sold his business, hired his house to another man, and "lived after as a gentleman." Crompe however remained obstinate, contemptuously protesting that the alleged "custom" was but fifty years old (a bit of special pleading on his part since this was just the age of the mayoralty itself in Canterbury) and, that the mayors had ceased to be victuallers out of self-indulgence, and because they preferred to live at their ease.¹³⁵

At the first victuallers and publicans owed their supremacy in the town society to the fact that among a people needy and thrifty the trader's only way to fortune lay in selling the common necessities of life. The great bulk of the people lived poorly. In general perhaps the master craftsman scarcely earned a higher

¹³⁵ H.M.C. ix. 173-4.

wage than his journeymen,¹³⁶ and may have often eked out his livelihood by ploughing and reaping his lot of the common land at one time, while at another he worked at his occupation with two or three helpers – servants and apprentices “which be of no great having,” and who were by law compelled to cut, gather, and bring in the corn¹³⁷ if they were employed in a trade “of which craft or mystery a man hath no great need in harvest time.” The first speculators who were tempted by visions of a great public with its exhaustless needs and unfathomable purse pursued their dreams with the guile of petty schemers. If a dealer proposed to make his fortune in malt he opened proceedings with the strictest economies. A penny or a half-penny served as earnest money to the peasants from whom he bought his corn, and who were told to come to the house for payment. “And when they come there and think to have their payment directly, the buyer says that his wife at his house has gone out, and has taken the key of the room, so that he cannot get at his money; but that the other must go away and come again soon and receive his pay. And when he comes back a second time, then the buyer is not to be found; or else, if he is found, he feigns something else, by reason whereof the poor men cannot have their pay. And sometimes while the poor men are waiting for their pay the buyer causes the corn to

¹³⁶ According to Thorold Rogers (*Agric. and Prices*, iv. 502-5) about 20 per cent. in excess. Skilled workmen, such as architects, artists, trained clerks, &c., were paid at very modest rates, though sometimes they were given honour by being boarded as gentlemen.

¹³⁷ Statutes, 12 Richard II. cap. 3.

be wetted,” and then tells the peasant he may take it away with him if he does not like the price offered.¹³⁸ In the same way the cloth contractor started with a modest business that needed no outlay of money, taking the raw material which his customers brought to him and handing it over to weavers, who on their side provided their own tools and did the work in their own homes. As he prospered in the world he may have become the owner of a few looms which he let out to the weavers he employed; or he perhaps added to his trade the keeping of a little shop or some small pedlar’s business for the sake of such petty gains as the law, looking in those days with scant favour on dealers, might allow. Often hard set to carry on his business, he sought to help out his poverty by cunning, and the expedients to which he was driven – the giving out of bad material or short weight to his workmen, the devices to save a few pence here and there by deducting it on one pretext or another from payments due, the giving wages in victuals or needles or mercery or the waste trifles of his little shop – must often indicate the distracting pressure of immediate need under which he anticipated the devices of the small working employer of to-day.¹³⁹

But from the earliest times it is evident that there were many of the more successful traders who rose to a position which, in a

¹³⁸ Riley’s *Liber Albus*, 261-2.

¹³⁹ For particulars of truck wages see Stat. 4 Edward IV. cap. 1. This payment on the truck system was spoken of as a new thing in the middle of the fifteenth century (Wright’s *Political Songs*, ii. 285), and is referred to in *Libel of English Policy*. It was forbidden by town ordinance in Winchester and Worcester. (*English Guilds*, 352, 383.)

humbler degree, closely resembles that of our modern capitalists and employers, and that this class constantly tended to increase in wealth and in numbers. They evidently rivalled in astuteness their brethren of lowlier fortunes.

“Ne had the grace of guile gone among my ware
It had been unsold this seven year, so me God help,”¹⁴⁰

the merchant in *Piers Ploughman* admits frankly. His wife who made the cloth for sale was diligent in her sphere of economies, ordering her spinning women to spin the yarn out to great length, and paying for it by a pound measure that weighed a quarter more than her husband’s weighing machine – when he weighed true. At the draper’s he was taught how to stretch out the list of the cloth, or to fasten rich pieces together with a pack needle, and lengthen them out with pressers till ten or twelve yards reached to thirteen; and to get rid of his goods at Winchester and Wayhill fairs he carefully learned to lie and use false weights. To add to these resources he would go to the Lombards for lessons in clipping coin and in lending money out at usury.¹⁴¹ Weaknesses of remorse troubled him little.

“‘Repentedst thou never?’ quoth Repentance, ‘nor restitution madest?’

‘Yea, once,’ quoth he, ‘I was y harboured with a heap of

¹⁴⁰ *Piers Ploughman*. Pass. vii. 213-14.

¹⁴¹ *Piers Ploughman*. Passes vii. 215-249.

chapmen,

I arose and rifled their mails when they a'rest were.'

'That was a rueful restitution,' quoth Repentance, 'forsooth!'"

No age, indeed, has a monopoly of clever dealers, and every artifice practised in earlier days was familiar to the fifteenth century, and so loudly resented by the consumers, that many people, mistaking the signs of a public zeal to check abuses for the evidences of a growing audacity in evil, have discovered in the later middle ages an accumulating mass of corruption which gradually covered with its blackness the felicity of a purer age.¹⁴² But whether from "the grace of guile," or from sheer ability, the traders prospered on every side. Langland looking out over all classes of men sees how with them above all lay the secret of fatness and good cheer:

"And some chose chaffer, they cheved [prospered] the better,
As it seemeth to our sight that such man thriveth."¹⁴³

The large sums that passed from hand to hand – the imposing debts registered in the town accounts – the complaints of a master being in arrears to his apprentice for a sum of £100, or

¹⁴² For a description of the various deceits practised in cloth-making see 3 Richard II. stat. cap. 2. Stat. of Westminster 7 Richard II. cap. 9; 15 Richard II. cap. 10. In 1221 the jurors of Worcester were already complaining that the assize of the breadth of cloth was not observed. *Select Pleas of the Crown*, Selden Soc. 97.

¹⁴³ *Piers Ploughman*. Pass. i. 33-4.

an apprentice to his master for £138 – the leasing out of the customs of a great port like Southampton to a single merchant – all these things indicate the new plutocracy that was beginning to appear.¹⁴⁴ Drapers and clothiers were admitted into the select circles of privilege; in the towns the rank of “gentleman” became the appropriate reward of a successful cloth merchant,¹⁴⁵ and even in the county society the clothier was beginning to oust the old proprietors. The Tames of Gloucestershire were ordinary dealers who made cloth and traded at Cirencester till about 1480 when John Tame rented great tracts of land at Fairford for his flocks of sheep, and in the new industrial centre which he developed there, wool was collected to feed the Cirencester manufactory. All over the country he bought at a cheap rate lands which the ruined nobles could no longer hold; and his enormous wealth increased yet further under his son Edmund, who took his place among the “gentry” by becoming High Sheriff of Gloucestershire in 1505, receiving the reward of knighthood in 1516, and entertaining Henry the Eighth at his house at Fairford in 1520.¹⁴⁶

¹⁴⁴ Hist. MSS. Com. ix. 259; xi. 3, 70-73, 111. Davies’ Southampton, 82. Hunt’s Bristol, 74, 97-8.

¹⁴⁵ Survey of Birmingham, 50, 51, 52. See above, p. 63.

¹⁴⁶ Journ. Archæol. Ass. xxvii. 110-148. This as one among many proofs tends to show how wealth was passing not so much to the mere land-owners as to the new tenants who were combining the cloth trade with big sheep farms – the enterprising speculators who were on the watch for the cheap lands of ruined lords to increase their own business.

The most wealthy folk in the towns, however, were probably the class that had grown up with the developement of foreign commerce and the export trade¹⁴⁷— the merchants who forsook handicrafts and lived wholly by “grete aventour.”¹⁴⁸ Their lot was not altogether an easy one in a society perplexed by the mighty rush of the new commerce, where men trained in an earlier system looked with a mixture of fear and dislike on the intrusion of a dubious profession not vouched for by familiar custom – “covetous people who seek their own advantage,” and who not only lay under suspicion as men who refused to work, but were reproached with the destruction of trade by underselling the goods of English artizans with cheaper foreign wares. The government was concerned lest by their dealings the merchants should diminish the stock of gold to be kept in the country;¹⁴⁹ while, on the other hand, Church and people unanimously saw in bargains with bills and pledges and sums bearing interest, which were then known as “dry exchange,” something not to be distinguished from the sin of usury, and called on the government to declare void all such “damnable bargains grounded in usury, coloured by the name of new chevesaunce contrary to the law

¹⁴⁷ Members of the Pepperers Company began to replace the Jews at the King’s exchange in the thirteenth century (Kingdon’s Grocers’ Company, i. x-xii.)

¹⁴⁸ Von Ochenkowski, 112, 125. The upgrowth of the true class of merchants is shewn in the Hull Guild whose ordinances date from 1499 (Lambert’s Guild Life, 157-160) and the York Mistery of Mercers of 1430, (Ibid. 167).

¹⁴⁹ For the forbidding of exportation of gold and silver and the consequent regulations about travellers by sea, see 5 Richard II. St. i. cap. 2.

of natural justice” – “corrupt bargains which be most usually had within cities and boroughs.”¹⁵⁰ To the delicate conscience of theologian or social preacher trade could only be defended on the ground that honestly conducted it made no profit.¹⁵¹ As for the “poor commons,” they held that while a man might live by trading, and perhaps make a modest competence, he had no right to grow rich;¹⁵² his gains represented to the people the wages of iniquity, and the hungry toiler sitting over his mess of beans and bacon-rind comforted himself as best he could with thoughts of the weary ages merchants must at last count in purgatory, watching kings and knights and bishops pass out of its gates, while they themselves still lingered to pay the penalty of great oaths and innumerable taken

¹⁵⁰ The Chancellor of England was given power to enquire and judge on dealings of “dry exchange,” and also Justices of the Peace of the neighbouring counties. Stat. 3 Henry VII. cap. 6. Compare Luchaire, *Communes Françaises*, 242-4.

¹⁵¹ When in the parable of Piers Ploughman the wicked Lady Mede defends corrupt gain by the argument that merchandise cannot exist without meed or reward the answer of Conscience is that trade is nothing but pure barter. “In merchandise is no meed I may it well avow It is a permutation apertelich [evidently] one penny-worth for another.” – Piers Ploughman. Pass. iv. 282, 315, 316. See also the limits set even on barter — “For it is simony to sell what sent is of grace That is wit and water, wind, and fire the forth: These four should be free to all folk that it needeth.” Ibid. Pass. x. 55-7. Here, however, he has doubtless in his mind the lord’s mill on the hill or by the stream, the rights of turbary and of gathering wood in the forest, and the great need of the people – protection in the law-courts.

¹⁵² Von Ochenkowski, 165, 167, 245-9.

“Against clean conscience, for covetyse of winning.”¹⁵³

Meanwhile their way was made difficult on earth, and along the road to fair or market the wandering merchant or chapman was held to ransom by the rustics, while the harmless messenger who travelled by his side was sent merrily on his road.¹⁵⁴

To the mediæval mind indeed the merchant burdened with his goods was the very type of the soul laden with sins, and painfully battling its doubtful way to heaven. He passed from peril to peril in the transport of the packages on which he had set the sign that distinguished his wares, the tall cross with shrouds¹⁵⁵ or the flag. No navy protected his vessels on seas that swarmed with pirates, and companies of ships as ready for battle as for commerce, set out together, under command of one of the captains chosen as admiral,¹⁵⁶ to fight their way as best they could, while at home fear beset the owner on every side. If a merchant sent his servant over sea to Bruges, or despatched an apprentice to one of the Baltic ports to gather in the profits due to him or to

¹⁵³ Piers Ploughman. Passus x. 26.

¹⁵⁴ “And though they wend by the way the two together, Though the messenger make his way amid the wheat Will no wise man wroth be, nor his wed take; Is not hayward yhote [ordered] his wed for to take; But if the merchant make his way over men’s corn, And the hayward happen with him for to meet, Either his hat or his hood, or else his gloves The merchant must forego, or the money of his purse.”— Piers Ploughman. Pass. xiv. 42-50.

¹⁵⁵ Hist. MSS. Com. v. 443. For merchants’ marks in S. George’s Church, Doncaster, see Hunter’s Deanery of Doncaster, i. 14.

¹⁵⁶ Plummer’s Fortescue, 235.

carry merchandise, no man might comfort him, and no religious thought distract his spirit till his messengers returned;¹⁵⁷ and even when his goods reached port all his experience and cunning were needed to deal with the exactions of the king, who demanded the first choice of his wine or precious cargo, or to baffle the rapacity of the officers of the sheriff, the officers of the staple, the collectors of customs, the treasurers of the town, the searchers, or the clerk of the market.¹⁵⁸

If, however, the risks of the merchant who dared the “great adventure” increased a hundredfold, so the chances open to courage and skill became more brilliant,¹⁵⁹ and the triumphant trader became the object of national pride. London had its hero

“The son
Of Merchandy, Richard of Whittingdon
That loadstar and chief chosen flower
What hath by him our England of honour?
That pen and paper may not me suffice
Him to describe so high he was of prise.”¹⁶⁰

A brass in the church of Chipping Camden, dated 1401, commemorates the “flower of the wool merchants of all

¹⁵⁷ Piers Ploughman. Pass. vii. 278-285.

¹⁵⁸ Ibid. Pass. xiv. 50-51.

¹⁵⁹ See Ship of Fools, Barclay, 43, st. 4.

¹⁶⁰ Lib. Eng. Pol. Wright's Political Poems, ii. 178.

England.” In Dartmouth the long prosperity of the Hawleys¹⁶¹ was recalled in the local proverb —

“Blow the wind high, blow the wind low:
It bloweth good to Hauley’s hoe.”

There were none who surpassed the merchants of Bristol — men who had made of their town the chief depot for the wine trade of southern France, a staple for leather, lead, and tin, the great mart for the fish of the Channel and for the salt trade of Brittany, whose cloth and leather were carried to Denmark to be exchanged for stock-fish, and to France and Spain for wine; who as early as 1420 made their way by compass to Iceland; whose vessels were the first from England to enter the Levant; and who when calamity fell on their business by the loss of Bordeaux, and by the competition of London merchants and the concentration of commerce in the hands of its Adventurers, turned their faces to the New World; sending out in 1480, and year after year from that time, two, three, or four light ships to sail “west of Ireland” in search of the “Island of Brasylle and the seven Cities,” till in 1496 Cabot started with five vessels on his voyage of discovery, whence he came back to live in great honour among his fellow-townsmen, dressing in silk, and known as the “Great Admiral.”¹⁶² The Bristol merchants of those days lived splendidly

¹⁶¹ Hist. MSS. Com. v. 601-4.

¹⁶² Hunt’s Bristol, 75, 93-5; 126-8.

in fine houses three stories high, the grander ones having each its own tower. Underground stretched vast cellars with groined stone roofs: the ground floor was a warehouse or shop opening to the street; above this were the parlour and bedroom, with attics in the gables; while the great hall was built out behind with a lofty roof of carved timber.¹⁶³ In the towers treasures of plate were stored which rivalled those of the nobles, and the walls were hung with the richest tapestries, or with at least “counterfeit Arras.” Perhaps it was some such house which suggested to the poet, born perhaps in a village “cote,” and who knew Bristol well, the idea of an abode which might be offered to the Lord of heaven —

“Neither in cot neither in caitiff house was Christ y bore,
But in a burgess house, the best of all the town.”¹⁶⁴

But the growing luxury of private life is a far less striking feature of the mediæval borough than the splendid tradition of civic patriotism and generosity which seems to have prevailed. Burghers who prospered in the world left their noblest records in the memories of their public munificence; and there were hundreds of benefactors like Thomas Elys, the Sandwich draper,

¹⁶³ Hunt's Bristol, 94-5, 108. A Bristol grocer left 350 ounces of silver plate to be divided among his children. Ibid. 108. The first fork we hear of in England in 1443 belonged to a citizen family in York. “Unum par cultellorum vocat’ ‘karving knyves’ et unum par forpicum argenteorum.” (Plumpton Correspondence, xxxiv.)

¹⁶⁴ Piers Ploughman. Passus, xv. 90. For Wood's account of Oxford houses, see Boase's Oxford, 48-9.

who in 1392 founded the hospital of S. Thomas-the-Martyr, and endowed it with a messuage and 132 acres of land; and within five months after founded the chantry of S. Thomas-the-Martyr;¹⁶⁵ or like Simon Grendon, three times mayor of Exeter, who left money to found a hospital for the poor. Gifts to churches of plate and vestments and books, legacies for chantries or for priests are too numerous to mention;¹⁶⁶ but there was a steady tendency among the townspeople to turn their benefactions into very different channels, and bequeathing their money to the town corporation instead of a religious body, to devote it directly to secular purposes and charities of the new fashion – founding free schools, building walls, repairing bridges, maintaining harbours for their borough, or leaving a fund for the payment of the ferm rent or certain fixed taxes. An Abingdon merchant gave a thousand marks towards the bridges over the two dangerous fords, Borough Ford and Culham Ford, which had to be built by the Abingdon men “at their own cost and charges, the alms

¹⁶⁵ Boys’ Sandwich, 149, 185, 186.

¹⁶⁶ The plate of S. Mary’s, Sandwich, amounted to about 724 ounces of silver, and there was a good deal of silver gilt; it had splendid brocade of gold of Venice and of Lucca, and a mass of vestments of white damask powdered with gold of Venice, and blue velvet powdered with fleurs de lis, or with moons and stars, and so on. (Boys’ Sandwich, 375.) A burgess of Wycombe, Redehode, fitted up the church with beautiful screens of carved wood, and added other gifts to its store of jewels and gilt crowns for Our Lady, and other ornaments of amber, silver, jet, turquoises, with rich garments and ermine fur, damasks, velvets, silks, a baldachino bearing green branches with birds of gold, magnificent robes of cloth of gold, &c., and splendid plate. (Hist. MSS. Com. v. 554-5.)

of the town, and the benevolence of well-disposed persons,” and which were to make Abingdon the high road from Gloucester to London.¹⁶⁷ In 1421, when the Friars who owned the sources from which Southampton had its supply of water could no longer afford to replace the decayed pipes, a burgher “for the good of his soul” left money for new leaden pipes sufficient for the whole town as well as for the friars.¹⁶⁸ An Ipswich burgess gave the very considerable sum of £140 to relieve his fellow-townsmen of certain yearly tolls;¹⁶⁹ and money was always forthcoming for gates and walls and market crosses, for the buying of new charters, the adorning of the Town Hall, or gifts of plate to the corporation;¹⁷⁰ while as we have seen, a new system of education was practically founded by the free schools which were so largely endowed by their liberality.

For the first time in fact since the expulsion of the Jews

¹⁶⁷ An ironmonger, Richard Fallande, set up a tablet in Hospital Hall to remind the townfolk of the dangers and terrors of the old ford, of passengers drowned, of poor people pitilessly turned back, or wayfarers robbed of hood or girdle to satisfy the ferry-men's greed. People were constantly drowned and “Few folke there were coude that way wende But they waged a wed or payed of her purse And if it were a begger had breed in her bagge He schulde be ryght soone i bid for to goo aboute And of the poor penyles the hireward wold habbe A hood or a girdel and let him goo withoute.” (English Illustrated Magazine, May 1889, p. 951.) For Rochester Bridge, see Hist. MSS. Com. ix. 285.

¹⁶⁸ Davies' Southampton, 115.

¹⁶⁹ Hist. MSS. Com. ix. 247. For similar bequests, Ibid. x. 4, p. 529-30. Ibid. ix. 208-10. The Common Weal (ed. E. Lamond), 18, 19.

¹⁷⁰ Ibid. xi. 7, 169, 174, 175, 180-1. Ibid. ix. 57, 275, 137, 145. Davies' Walks through York, 30-1.

from England we find a class of men with money to dispose of; for whatever gold and silver was available for practical purposes was gathered into the coffers of the burghers. The noble “wasters” who with gluttony destroyed what plougher and sower won¹⁷¹ carried a light purse; while timid country-folk, terrified by the disorder and insecurity of the times, unused to commerce and speculation, buried their treasures in the earth, or laid away bags of “old nobles” with their plate in safe hiding places,¹⁷² industriously hoarding against the evil day that haunted their imagination. But among spendthrifts and faint-hearted economists the burghers came with habits of large winnings and generous outgoings. They became the usurers and money-lenders of the age. When the county families had exhausted all possibilities of borrowing from their cousins and neighbours¹⁷³ they had to turn to the shopkeepers of the nearest town, who seem to have been willing to make special and private arrangements on better terms than those of the common usurer.¹⁷⁴ John Paston borrowed from the sheriff of London; Sir William Parr pawned his plate to a London fishmonger for £120, which he was to pay over to him in the church of S. Mary-on-the-

¹⁷¹ Piers Ploughman. Pass. i. 22.

¹⁷² See the surprising lists of these stores in the Paston Letters, iii. 312, 270-4, 297-8, 282-9, 436, 313. Compare vol. i. p. 259.

¹⁷³ Hist. MSS. Com. x. 4, 297. Paston Letters, iii. 23, 35, 46, 49, 219, 258. See vol. i. 260-2.

¹⁷⁴ Paston Letters, iii. 114-15.

Hill beside Billingsgate.¹⁷⁵ From Richard the Second onwards kings borrowed as readily as their subjects from the drapers and mercers of the towns. The prosperous merchant in his prouder moments matched his substantial merits against the haughty pretensions of lords who could go about begging of burgesses in towns and be “not the better of a bean though they borrow ever,”¹⁷⁶ and was not without an occasional touch of disdain for aristocratic poverty. Sir William Plumpton married the daughter of a citizen and merchant of York, who out of her rich dowry of houses in Ripon and York was able to leave large fortunes to her children. One of these wrote a description of a visit she paid to the house of some aristocratic cousins, Sir John Scrope and his daughter Mistress Darcy, and of their supercilious bearing. “By my troth I stood there a large hour, and yet I might neither see Lord nor Lady ... and yet I had five men in a suit (of livery). There is no such five men in *his* house, I dare say.”¹⁷⁷

But the constant fusion of classes which went on steadily throughout the century showed how solid were the reasons which drew together the rich traders of the towns and the half bankrupt families of the county. Impoverished country gentry were tempted by the money made in business, just as the “merchants and new gentlemen” hoped to reach distinction by marriage into landed families. Squires built for themselves

¹⁷⁵ Paston Letters, iii. 194. Hist. MSS. Com. vii. 599.

¹⁷⁶ Richard the Redeless, Passus iii. 145, &c.

¹⁷⁷ Plumpton Correspondence, xxxix. xl.

houses in the neighbouring boroughs, turned into traders on their own account, and commonly took office at last in the municipal government;¹⁷⁸ while on the other hand successful city merchants were becoming landed proprietors all over the country, were decorated with the ornaments of the Bath, and distinguished by fashionable marriages,¹⁷⁹ in spite of the fretful sarcasms of a “gentle” class consoled in the hard necessities of poverty by a faint pride. “Merchants or new gentlemen I deem will proffer large,” Edmund Paston wrote when a marriage of one of his family was in question; “well I wot if ye depart to London ye shall have proffers large.”¹⁸⁰ He seems to have preferred that the Pastons should look out for good connections; and possibly this anxiety was especially present in the case of the women, for the

¹⁷⁸ Sometimes their servants also reached posts of importance. John Russel, one of Fastolf’s servants, paid a sum down to be appointed Searcher at Yarmouth. And Thomas Fry, a steward of the Berkeleys under Henry the Seventh and Henry the Eighth, was “raised by them to be of principal authority and in commission of the peace of the city of Coventry, and a steward of great power in that Corporation.” (Berkeleys, ii. 215.)

¹⁷⁹ The Poles of Hull were rising into importance. (Paston Letters, ii. 210.) Sir John Fastolf possibly sprang from this class, for his relation Richard Fastolf was a London tailor. (Hist. MSS. Com. viii. 265.) Two London drapers, a mercer and a grocer were among the forty-seven Knights of the Bath created at the coronation of Elizabeth, queen of Edward the Fourth. (Three XV. century Chronicles, 80.) See the marriage of Whittingham, Mayor of London, whose son entered the Royal Household (Verney Papers, 15-17); of Verney, mayor in 1465 and knighted in 1471 (Ibid. 13, 22); of Sir William Plumpton (Plumpton Correspondence, xxvii.); of Sir Maurice Berkeley (Hunt’s Bristol, 101).

¹⁸⁰ Paston Letters, iii. 383.

family seem to have been rather excited when Margery Paston in 1449 married one Richard Calle, and went, as John said, “to sell candles and mustard in Framlingham.”¹⁸¹ But John Paston felt no hesitation about marrying the daughter of a London draper. One brother considered the solid merits of a London mercer’s daughter, and another was very anxious to secure as his wife the widow of a worsted merchant at Worstead, who had been left a hundred marks in money, a hundred marks in plate and furniture, and £10 a year in land.¹⁸² The money side of marriage with a substantial burgher must have had its attractive side also to the county ladies. In Nottingham, according to the “custom of the English borough,” half of the property of the husband passed at his death to his widow;¹⁸³ and a London mercer setting up in business promises in his contract of marriage “to find surety that if he die she to have £100 besides her part of his goods after the custom of the city.”¹⁸⁴

All interests in fact conspired in effacing class distinctions to an extent unknown in European countries; and in a land where “new men” had long been recognized among the king’s greatest officials, and where law created no barriers in social life, all roads

¹⁸¹ For the whole story see Paston Letters, ii. 341, 347, 350, 363-5.

¹⁸² Paston Letters, iii. 109, 219, 278.

¹⁸³ Nottingham Records, i. 169.

¹⁸⁴ Plumpton Correspondence, 12. The lady was sister to Godfrey Green, who seems to have been of good family, possibly a connexion of Sir William Plumpton (17 note). Green did a good deal of business for Plumpton (22-3), and was one of the trustees of a settlement, lxxii. note.

to eminence lay open before the adventurer. Notwithstanding this freedom, however, the English merchant never rose to the same height of wealth and power as the great traders of the Continent. We have no such figures as that of Jacques Cœur,¹⁸⁵ burgher of Bourges, whose ships were to be seen in England carrying martens and sables and cloth of gold; or trading up the Rhone; or competing with rivals from Genoa, Venice, and Catalonia for the coasting trade of the Mediterranean; or sailing to the Levant, each vessel laden with sixteen or twenty thousand ducats for trade adventures. Three hundred agents in various towns acted as his factors in business; and his ambassadors were to be found at the court of the Egyptian Sultan, or sitting as arbitrators in the quarrels of political parties in Genoa. "I know," he writes with frank consciousness of power, "that the winning of the San Grail cannot be done without me."¹⁸⁶ He had bought more than twenty estates or lordships, had two houses at Paris, two at Tours, four houses and two hotels at Lyons, houses at Beaucaire, Béziers, Narbonne, S. Pourçain, Marseilles, Montpellier, Perpignan, and Bourges. In 1450 he had spent 100,000 crowns of gold on the new house he was building out of Roman remains at Bourges, and it was still unfinished. As Master of the Mint at Bourges and at Paris, and as the greatest capitalist of his nation, he practically controlled the whole finances of France; and, indeed, held in his hands the fortunes of French commerce, and even of the

¹⁸⁵ See Clément, Jacques Cœur.

¹⁸⁶ Ibid. 134.

French nation, for it was his loans to the King that alone enabled Charles to drive the English out of Normandy. At a time when all trade was strictly forbidden to the noble class, a grateful monarch, mindful of timely loans and of jewels redeemed from pawn by his useful money-lender, ennobled Jacques Cœur, with his wife and children. His eldest son was Archbishop of Bourges; his brother was Bishop of Luçon; his nephew and chief factor was Councillor of King René, and Chamberlain of the Duke of Calabria. But just as far as he went beyond the English trader in his glory and success, so far he exceeded him in the greatness of his ruin. The same arbitrary power which had set him above his fellows could as easily be used to cast him down; and after twenty years of prosperity Jacques Cœur was a State prisoner, robbed of all his goods, and condemned to perpetual exile. Transforming banishment into opportunity for new ventures, he set off eastward at the head of a crusade in 1456 to die on the journey, and find a grave in Chios.¹⁸⁷

Beside such a career as this, and measured by the prizes that hung before the adventurers of the Continent, the life of the English trader was indeed homely and monotonous. Triumph and ruin alike were on a modest scale. No great figure stands out from the rest as the associate of princes or the political agent of kings. No name has come down to us glorified by a vast ambition, or dignified by an intellectual inspiration, or made famous for turning the balance of a political situation. And it is

¹⁸⁷ Clément, Jacques Cœur.

just in this fact that we discover the essential character of the new commercial society in England. Instead of colossal fortunes we find a large middle class enjoying everywhere without fear a solid and substantial comfort. And, perhaps as a consequence of the widespread diffusion of material prosperity, the republic of traders had succeeded in developing a marvellous art of organization, with all its necessary discipline. The triumphs of the English merchants were won by a solid phalanx of men alike endowed with good average capacity, possessing extraordinary gifts of endurance and genius for combination, and moving all together with irresistible determination to their ends. The uniformity and regularity of their ranks was never broken by the intrusion of a leader of genius pre-eminent among his fellows; and whether in towns or in commercial fraternities, the little despotisms that were set up were despotisms, not of a single master, but of groups of men who had devised a common policy and by whose voluntary and united efforts it was sustained. In fact the very spirit of the people seemed to have entered into the great industrial system which had sprung up in their midst – a growth free and independent, nourished out of the common soil from which it came, obedient to its own laws, expanding by the force of its own nature.

No doubt there was loss as well as gain for a society so constituted. The special genius of the people, their remoteness from outer influences, the concentration of the national forces on the pressing industrial and commercial problems of the

moment; all these things evidently affected the development of the national life, and tended in many ways to leave civilization still rude and imperfect. But in addition to this we are also conscious of the influence of a certain prevailing mediocrity of station. The horizon of the trading and industrial classes was bounded by a practical materialism where intellect had as little play as imagination. Neither the glamour of ancient Rome nor the romance of a crusade ever touched the fancy of an English merchant, busy with the problems of the hour. There is no stately dwelling of those days to show the magnificent conceptions which might occupy a merchant builder, and a “palace of King John” at Nottingham,¹⁸⁸ or a turreted house at Bristol, “the best of all the town,” telling their tale of a comfortable domesticity, contrast strangely with the famous building of Bourges. So far as we know no trader or burgher possessed a library; out of the lost past not so much as a line of Horace found an echo among even the more lettered men of business till over a hundred years later; not a picture was carried home from the schools of Italy or the Netherlands; of the mighty commerce of the world beyond the sea the trader knew everything, of its culture nothing; and England remained without any distinguished patrons of the arts or fosterers of learning save those found in bishops’ palaces. And not only was the trader limited on the side of art and letters; in the hurry of business he had no time and less attention to give to political problems that lay beyond his own parish or his industrial

¹⁸⁸ (See p. 327).

domain. Fortunately for his country he reaped an exact reward. His business prospered, but the work of statesmanship in its finer sense was given to others; and in the political and commercial crises through which England had to pass she for a time chose her leaders from men trained in another and more comprehensive school. It was only in the next century that the merchant by degrees began to enter on a new dominion in the world of politics. Under the early Tudors it became the custom to appoint as representatives of England in foreign countries traders resident in the place, and though the system is commonly put down to the niggardliness of the Court, it was more probably due to the ruler's sagacity. In England itself it was with Thomas Cromwell, the clerk of Antwerp, the wool merchant of Middelburg, scrivener, banker, and attorney, that for the first time the man of business made his vigorous entry into the Court, struck aside at a blow the venerable traditions that had gathered there round Church and State, and from the wreck and ruin of the past proclaimed the triumph of a new age.¹⁸⁹

¹⁸⁹ See Hist. of Eng. People, ii. 142-3, 151, 164-6, 170-2, 188. Brinklow's writings afford a very good illustration of the radical temper in politics which at this time was developed in the towns.

CHAPTER IV

THE LABOUR QUESTION

Perhaps no complaint is at first sight so startling amid the vigorous growth of manufacture and commerce which marked the fifteenth century, and in a society where pestilence and plague apparently kept population stationary, as the complaint of surplus labour; and the elusive way in which the problem appears and vanishes again makes it yet more bewildering. People complained at one moment of labourers unemployed, and at the next they modified old laws because they could not get workmen enough. Masters on all sides were evading the regulations which limited the number of their apprentices and journeymen, and still cried to the State for protection for their craft because the artizan could find no work to do. Men talked of foreign competition and too many workers in every trade, and took forcible measures to keep down prices and wages. The lawmakers were forbidding the import of foreign goods so as to give employment to destitute artizans at home, and the artizans were conspiring to limit their output and raise their prices. That there was some real trouble whose indeterminate presence can be felt behind all these conflicting appearances we cannot doubt; but it may be questioned whether the trouble was that of labour for which there was no demand.

Many of the complaints no doubt arose in some period of peculiar suffering, when an outbreak of war or the rivalry between England and the Netherlands shut the great markets across the sea, and left weavers with idle looms and bales of cloth unsold; and we must occasionally take the phrases of statutes passed under the stress of some temporary calamity as merely describing a distress too unaccustomed to be borne in silence. For instance the statute of 1488 which was passed during the depression of trade that marked the first years of the reign of Henry the Seventh proposed to restore prosperity to the drapers' craftsmen, for "they that should obtain their needy sustentation and living by means of the same drapery, for lack of such occupation daily fall in great number to idleness and poverty;"¹⁹⁰ but the commercial treaties which distinguished the next three or four years of Henry's reign were probably more effectual than any statute of this kind, and they sufficiently prove that the trade was not in a dying or decrepit state.

Occasionally too the murmurings of the people only tell of troubles that follow every industrial change. To an employer the new industry came to search out the extent of his resources and his activity. What with the haste to make wealth, and the hurry of keeping pace with the demands of foreign traders and of big markets, he was hard pressed by the necessity of cheap and swift production, and his attempts to improve his industrial methods brought him into collision with workers to whom ruder

¹⁹⁰ Stat. 3 Henry VII. cap. 11. The Common Weal, 88-90.

and more wasteful ways of doing business were often more immediately profitable. Labour disputes arose over questions of wages and piece-work, of holidays, of the employment of women¹⁹¹ and cheap workers. Occasionally the master carried on an illicit industry – keeping workmen privately engaged in his own house or on board a ship in the port,¹⁹² so as to withdraw his servants from the supervision of the town council, and his goods from charges for the town dues. If he had accumulated a little capital he perhaps moved out to the valleys of Yorkshire or Gloucestershire in search of water-power for his fulling-mills, or of finer wool for his weavers; or forsook the manufacturing town for some rural district where labour was plentiful, and where he could escape the heavy municipal dues which his business could ill afford to pay. While the valley of the Stroud was welcoming Flemish settlers and seeing mills spring up along every stream, London and Canterbury found their manufacturing trade slipping away from them;¹⁹³ and the glory of Norwich departed as cloth-makers pushed along the moorland streams of Yorkshire to

¹⁹¹ It was often forbidden to employ any woman save the wife or daughter of the master (Hunt's Bristol, 82; Riley's Mem. 217).

¹⁹² Lambert's Guild Life, 238-9; Hist. MSS. Com. xi. 3, p. 11, 87.

¹⁹³ Kent had sunk from the fifth to the tenth place in wealth among counties during the Hundred Years' War. In 1454 the wool of Lincolnshire, Shropshire, and the Cotswolds, represented the best, and that of Kent almost the worst quality; this may account for the decline of Canterbury. The difference in quality would of course tell much more on the prosperity of a district when the home manufacture of cloth was developed.

Wakefield and Huddersfield and Halifax, and set up fulling-mills among the few peasant huts of remote hamlets.

Difficulties also arose when the manufacturer began to contrive the first rude form of a factory system, and so disturbed the occasional labour of his neighbourhood; after the manner of the brewers of Kent, who besides having to supply London and the big trading ports of the coast were also beginning to send out beer to Flanders, and who no longer as of old bought their malt from the people, making only some trifling hundred quarters or so in their own houses, but began to make at home as much as a thousand or even eighteen hundred quarters, to the hurt of those farmers and youths who had once gained a livelihood by preparing malt for sale.¹⁹⁴ Or perhaps enterprising masters began to introduce new machinery to keep pace with the increasing demand for their wares. Such an innovation was resisted as hotly as in our own century. The shearers of cloth raised a cry against a new iron instrument invented for raising the nap of cloth so that it could be quickly burned off without the old labour, while shearers were left idly loitering.¹⁹⁵ Among the cap-makers “some of the trade provided a water-mill for fulling their caps” in 1376, by which apprentices and freemen of the trade found themselves deprived of work and “at the point of perishing.” Their appeal to the town was of course on the ground that caps so fullled were bad wear for the community,

¹⁹⁴ Schanz, i. 610-11 (1455); 33 Henry VI. cap. 4; Rot. Parl. v. 324.

¹⁹⁵ Schanz, i. 600; Stat. 11 Henry VII. cap. 27.

and the mills were in consequence forbidden;¹⁹⁶ but a century of disobedience and evasions and wranglings followed until the working fullers appealed to Parliament itself, and in 1482 it was decreed that hats, bonnets, and caps, which “were wont to be faithfully ... thicked by men’s strength, that is to say with hands and feet,” should never again be fulled in fulling-mills invented “by subtle imagination to the destruction of the labours and sustenance of many men,” and to the “final undoing” of the cap-makers.¹⁹⁷

Even the question of foreign immigration stirred up contention between clothiers and weavers. Manufacturers trading in marts where the fine work of Flemish experts – the most skilful weavers in Europe – had been displayed, required for the success of their trade the services of the finely trained artizans who took refuge in England from the ruin that awaited them in Flanders, and in many a town skilled immigrants found themselves welcome guests.¹⁹⁸ Under the protection of

¹⁹⁶ Lib. Cus. 127. I suspect that the question of these fulling-mills in London was much complicated by the supply of water becoming inadequate to the needs of the growing city, and the great resentment felt by the fullers of cloth against the intrusion of the cap-makers on their domain over the running streams. There is some evidence that this was the case, and it is probable that the want of water-power was one of the causes which drove the woollen manufacture from certain towns.

¹⁹⁷ 22 Edward IV. cap. 5. There had been trouble about fulling machinery in London as early as 1298. (Lib. Cust. Rolls, Series, 127-9.)

¹⁹⁸ In 1416 £22 6s. 8d. was received as a fine for offences from foreigners in Romney. (Hist. MSS. Com. v. 539.) In Sandwich the tax on foreigners was assessed by the mayor and jurats. Every indweller having aliens in his service was to keep back as much of

the classes to whom the foreign artizan can never have been unwelcome – the consumer, the merchant, and the master – he fared well enough; for so long as he was subjected to the local control of the guild or the municipality, forced to dwell in the house of an Englishman, forbidden to sell in retail, kept under a supervision so strict as practically to shut him out from the market, the employers of labour saw no reason for anxiety.¹⁹⁹ On the other hand the complacent view of the manufacturer was not shared by the English artizan; and in places where trade was shrinking or where there was financial trouble the foreigner might chance to be made into the luckless scape-goat of the community, and have heaped on his head all the calamities that burdened the guild or the municipality. For example, in the middle of the fifteenth century when the Bristol wool trade was half ruined by the loss of Bordeaux which destroyed its great market and brought about lasting changes in the French manufacturing centres; and by the determination of the Merchant Adventurers to establish in London and in favour of London merchants a practical monopoly of the cloth trade with the Northern Seas, a complaint was made by the journeymen against the master-weavers who had “brought in and put in occupation of the craft strangers, persons of divers countries, not born under the King’s obeisance but rebellious,” urged the desperate working man in search of an unassailable argument which should

their wages as would pay his tax. (Boys’ Sandwich, 787.)

¹⁹⁹ See Schanz, i. 414-6.

finally decide the matter, “which been sold to them as it were heathen people”; and the Mayor granted the desired order that no foreign weaver should be brought into Bristol²⁰⁰— a law which did not however restore the cloth trade to their city.

In this case we seem really to hear the complaint of the poor journeyman; and elsewhere, in appeals for compassion and protection, in statutes of Parliament and royal charters,²⁰¹ or in ordinances of Town Councils for his relief, we seem from time to time to find ourselves on the brink of a labour problem present to the modern as to the ancient world. But generally the story of foreign immigration as it has been handed down to us is in no sense the story of the labour question. An association of masters seeking to secure a strict monopoly for their own advantage could not bring a more powerful argument than the desperate situation of their workmen – an argument which might be used by a powerful corporation confident of official support, or by a dying trade which had been utterly beaten in the competitive struggle – and which taken alone throws little light on the subject. When the dispute with the foreigner emerges it generally seems to bear the character of a quarrel among dealers rather than a grudge of artizans. The working man had no doubt his grievance, but it is not his voice which we hear – it is the voice of his more

²⁰⁰ Hunt's Bristol, 82, 93, 111. The complaint seems to have been against master-weavers who employed their own servants and not the Bristol journeymen. See Rymer's *Fœdera*, v. 137.

²⁰¹ See Hibbert's *Influence of Eng. Gilds*, 64.

noisy neighbour the shopkeeper or the trader, who knowing that he himself had little to expect from the sympathy of the English consumer, passed briefly over the subject of his own immediate interests, and used with artistic skill the sufferings of the wage-earner to kindle a general compassion and heighten the effect of an appeal to an anxious government or an alarmed public. For as we read the Town Ordinances and Acts of Parliament²⁰² these strange “artificers” who were setting the world on fire put on the guise of pedlars or small dealers who “bring much foreign wares with them to sell,” and were thus especially obnoxious to the native traders; such foreign pests, it appears, were going “to men’s doors” “taking up standings” and there “showing” their wares to the undoing of the natives, and hiring servants of their own people to retail their goods about the country – an unpardonable offence in the eyes of London merchants, who were moving heaven and earth to become the only middlemen

²⁰² See the Commons’ Petition in Parliament, 50 Edward the Third (1376), Rolls of Parliament, vol. ii., p. 332. “Et come les bones gentz des touz Citees & Borghs parmy ceste terre si pleignent durement, q̄ ... toute manere de gentz Aliens, & autres q̄ ne sont pas Frauncs en les dites Citees & Borghs, poent venir illeōqs demourrer auxi longement come leur plest, & tenir overtz Hostiels, & receptor̄ q̄ coñqs persones qe leur plerra: Et s’ils eiount ascunes Marchandises ils les vendent as autres Estraungers, pur revendre sībn par retail come autrē q̄coñq̄ manerē q̄ leur mieltz semble pur lours Profitz demeisne. Par q̄i les Marchauntz Denizeins sont trop anientiz, la Terre voide de Moneie, les closures des Citees & Borghs desapparaillez, la Navye de la terre bn̄ pres destruite, le Conseil de la terre par tout descovert, toute manere d’estraunge Marchandise grandement encherie; & qe pys est, par tieles privees receites les Enemys auxint priveez oū q̄ les loialx Liges: De q̄i n’ad mestier de autres tesmoignes fors̄ q̄ sentir & vewē q̄ molte app’tement en touz degrez la provent.”

of the foreign trade. With varying success the native dealers clamoured for protective legislation, praying that the strangers might be forbidden to engage freely in trade, and forced as journeymen to serve only an English master, or as masters to employ only English servants. A usurper like Richard the Third, anxious to conciliate the leading burghers of the towns, was ready among other things to forbid any alien whatever to become a handicraftsman, or any foreigner to take an apprentice of his own people save his own son or daughter;²⁰³ while on the other hand, Henry the Seventh carried out his own views of industrial policy by bringing weavers over to develop the trade of Yorkshire and Devonshire.

But under whatever restrictions the foreigners still came, and the same cry against them went up loudly from time to time. Manufacturers and middlemen who would have gladly welcomed immigrants so long as they gave themselves out as men working for hire, resented the invasion of strangers coming from over sea “with their wives, children, and household, and will not take upon them any laborious occupation as carting and ploughing but use making of cloths and other handicrafts and easy occupations;” and this apparently as masters, for the complaint was that they employed only foreign apprentices, so that English people were falling into idleness and becoming thieves, beggars, and vagabonds.²⁰⁴ “The land is so inhabited with a great multitude

²⁰³ Stat. 1 Richard III. cap. 9.

²⁰⁴ Stat. 1 Richard III. cap. 9. About 1528 the London shoemakers complain that

of needy people, strangers of divers nations ... that your liege people, Englishmen, cannot imagine or tell whereto or to what occupation that they shall use or put their children to learn or occupy within your said cities or boroughs” – so the Londoners complain in 1514: and add that if this went on Englishmen would no longer be able to pay their rents, maintain their households, and subdue and vanquish their ancient enemies the French.²⁰⁵ Hopeless, in fact, of combating the theory of his time that trade legislation was meant in the first instance to serve the interests of the buyer rather than the dealer, and fearing lest an argument for monopoly of sale might hardly withstand the criticism of a hostile public, the trader was tempted to discover some circuitous course, and catch at the cause of the poor workman, the terror of the French, and the patriotic vision of a nation of warrior weavers,²⁰⁶ as infallible appeals to the sentiment of his time.

whereas the King had granted leave that a fraternity of forty-four foreigners might exercise the craft of shoemakers in the city, by colour of this grant 220 foreign householders employing over 400 apprentices and servants, had set up in the business. An amusing account is given of the attitude of this foreign company to the English searchers of the craft. There had once been 140 Englishmen of the cordwainers' livery but now there were only twenty, and the wives and children of those who had been ruined were turned into water-carriers and labourers. These foreigners did not come to settle, but having made their fortunes went off home, while others took their places. (Schanz, ii. 598-600.)

²⁰⁵ Schanz, ii. 596-8. They pray that the former laws may be put in force, ordering strangers only to dwell in the houses of Englishmen, to sell only in gross and not by retail, and to remain only a month in any town after their first coming.

²⁰⁶ In the same way Bristol in 1461 forbade its weavers to employ their wives, daughters, and maidens at the loom, lest the King's people likely to do the King service

We find animosities and complaints of the same kind directed against the struggling suburban manufacturers, who competed with the townfolk by dint of braving every hardship, and accustoming their hands to every form of labour. To the town manufacturer they were an abomination; and he sought to enlist the sympathy of the public by loud complaints that it was only workmen who had scarcely learned their trade who thus left their masters to set up for themselves and make an independent living. It is probable indeed that their numbers were often recruited by small masters who had fallen through poverty out of the regular ranks of industry; as for example when an apprentice or a stranger set up in business to try his luck, and having been given perhaps three or four years in which to pay by instalments the sum charged by the guild for opening shop, made his escape out of the borough just before his last fine became due,²⁰⁷ being by that time possibly ready to start as a free trader in an “upland” hovel, and to eke out a scanty living by working at his hand loom or his rope-making in the intervals of cultivating field or garden. But such home industries, however they originated, were inevitably disallowed by the municipal organizers of labour. They diverted trade, established a formidable competition of unregulated labour, reduced tolls, and emptied the tax-gatherer’s collecting box. Town councillors and shopkeepers and journeymen with one

in his wars should lack employment. (Hunt’s Bristol, 82.)

²⁰⁷ The customs of Coventry in this respect are exceedingly interesting.

accord declared war on those who for their own “singular advantages and commodities, nothing regarding the upholding of the said towns, nor the common wealth of the handicrafts ... nor the poor people which had living by the same,” hired farms and became graziers and husbandmen, and yet took to weaving, fulling, and shearing cloths in their own houses;²⁰⁸ or who, like the grasping people that withdrew from Bridport, took farms “for their private lucre” and not only “used husbandry” but made cables, ropes, ships’ tackling, and halters in their idle hours.²⁰⁹

Disputes of the kind which have been mentioned, however, were of trifling importance in the secular controversy between the leaders of industry and the general body of workers, as it presented itself in the Middle Ages; and the great problem of all – that which concerned no separate groups or industries, but the whole mass of labour that was to be let out for hire – was one inarticulate through its very magnitude. While workers were being set free from the land wherever arable farms were turned into enclosed pastures for sheep farming, they were called for by the manufacturer whose new business of making cloth needed more hands than the old business of selling wool. But the labour released from the field was perhaps not always easily transferred to the shop; and when the countryman who with his fellows had

²⁰⁸ Stat. 25 Henry VIII. cap. 18.

²⁰⁹ Stat. 21 Henry VIII. cap. 12. In the reign of Henry the Eighth there were complaints that Worcester, Evesham, Droitwich, Kidderminster, and Bromsgrove, had fallen into decay from the growth of the free-traders. (Stat. 25 Henry VIII. cap. 18.) See also the coverlet makers of York. (34 and 35 Henry VIII. cap. 10.)

toiled on the land

“All for dread of their death such dints gave hunger,”²¹⁰

and, save when harvest time gave a brief plenty, ate in suffering his cake of oats with a few curds, his “bread of beans and peases,” his onions and half-ripe cherries, and little baked apples,²¹¹— when he forsook his “cote” and carried to the town nothing but his hunger, his ignorance, his want of skill, he did not necessarily mend his fortune by turning from the serf of the landlord into the wretched dependent of the employer. Moreover, as though the obstacles in the way of his helplessness were not already sufficiently overwhelming, by the ingenious device of man the difficulty was made yet more acute. Artificial barriers to keep in check the labour that clamoured at their gates were thrown up with all the united strength of State and Town and Guild. The State in order to protect the agricultural interest strictly forbade the poor countryman to leave husbandry for trade, or to apprentice his child to any craft.²¹² The towns for reasons of their own hastened to intensify the effect of these laws by local regulations, or by the strictness with which

²¹⁰ Piers Ploughman. Passus ix. 187. “It is nothing for love they labour thus fast, But for fear of famine, in faith,” said Piers.” Passus ix. 214, 215.

²¹¹ “Fridays and fasting days a farthingworth of mussels Were a feast for such folk, or so many cockles.” Pass. x. 94, 95; see 72-87. Pollard’s *Miracle Plays*, 31-2.

²¹² Children who had served in husbandry till the age of twelve “shall abide at the same labour without being put to any mystery or handicraft” (Stat. 12 Rich. II. cap. 5).

they carried out old enactments.²¹³ Finally the guilds fenced themselves about with rules to protect their monopoly by limiting their numbers and shutting out intruders. As the fifteenth century went on all these bodies alike enforced their provisions with increasing severity, and the danger that threatened the working-class through the industrial revolution was hardened into a present calamity.

It is impossible to conceive that regulations of this kind were self-denying ordinances on the part of employers to limit the supply of labour; they rather come to us as echoes of the first great controversy concerning the position and privileges of the hired worker. The “protection” of industry from all competition was the first and the last creed of the crafts (as distinguished from the general public) – a protection by which every conceivable danger that might threaten the interests of the monopolists was struck down, whether it was the competition of other allied trades, or that introduced by machinery and new methods of organizing labour, or rivalry between members in the same craft, or the intrusion of dealers from the provinces, or the immigration of alien manufacturers from abroad. As to the main principle there was no dispute; and there were some of its less important developements where the interests of the masters

²¹³ It is important in the town ordinances to observe the effect of local circumstances. For instance, in Coventry the weavers were allowed in 1424 to take as many apprentices as they liked, “sine contradictione alicujus,” while the number in other trades was limited. This was just such an order as might be expected of a town council of rich merchant clothiers and drapers.

and the journeymen coincided. But to employers and dealers the monopoly of trade chiefly meant their own monopoly of production and sale; while the wage-earner's dominant anxiety was to keep surplus labour out of the craft, lest the regular workman might be deprived of his comfortable certainty of subsistence. Labour however was too sorely needed in the enormously increasing trade of the country for masters to deny themselves its services; nor did any of their ordinances necessarily tend in the least to produce a result so disastrous to themselves. In their eyes the important matter was that workers should be kept docile and obedient, retained in country districts where they were most advantageous to the contractor, and prevented from making claims on the control or the profits of industry which must have hampered the great business of the moment – the expansion of English trade; and the ability of the craft-leaders was shown in the masterly tactics which they adopted, the success which they achieved, and the political sagacity by which they accomplished their purpose without open strife or public agitation.

For it seems probable that the labour question had its origin with the very beginning of manufacturing industries, and that long before the fifteenth century a large class of hired workers already existed. We know that in the fourteenth century the wage-earners in the crafts already constituted a force which the State and the municipality had come to fear, and that not only in London but in other towns journeymen had learned discontent,

and had begun to combine for self-protection.²¹⁴ We know also that before 1340 one manufacturing town at least (and no doubt the records will ultimately tell of more) owned its miserable race of labourers who worked by the day at a bare subsistence wage of a penny, an outcast people whose abject poverty was their only protection; men possessing absolutely nothing by which they could be attached for crimes or offences, and who could laugh at any attempt of the court to summon or to fine them; while their employers, not being held legally responsible save under some special ordinance for such day labourers as these, took no care for the debt or crime of a class without privilege or standing in the eye of the law.²¹⁵ And obscure as the subject still is, we seem at a very early time to detect behind the guild system a growing class of “uncovenanted” labour, which the policy of the employers constantly tended to foster, their aim being on the one hand to limit the number of privileged serving-men, and on the other to increase the supply of unprotected workers.

It was for this reason that while the demand for manufactures was increasing beyond all experience, the number of men who sought through apprenticeship to enter the trade was most strictly limited by law;²¹⁶ and when a man had finished his apprenticeship

²¹⁴ See Chap. V.

²¹⁵ The customs of Norwich, 1340, forced some responsibility for these servants on the masters. (Leet Jurisdiction (Selden Soc.), lxvi.)

²¹⁶ No general laws for the whole kingdom which seriously limited the employment of apprentices were passed before the sixteenth century, but the various towns made such local laws as seemed necessary. In most cases masters were bound to enrol their

cunning devices were found for casting him back among the rank and file of hired labourers;²¹⁷ so that the skilled workman who had passed through his time of service but had not been admitted to the freedom of his trade²¹⁸— whether because he failed to secure the recommendation of the heads of the guild, or because he was unable to pay the double fees demanded for the franchise

apprentices in the town court; and at the end of the fifteenth century the Town Councils and the Guilds were making serious efforts to enforce the law. Miss Dormer Harris tells me that the capper's apprentices in Coventry were bound by surety for £5 to fulfil their covenant. If an apprentice left his master before the seven years were over, the master might not take another till the time had expired unless he delivered the £5 to the keepers for the use of the craft. The masters of crafts there appear to have been very reluctant to take apprentices, especially after 1494.

²¹⁷ In Norwich in spite of the statutes of 1436 and 1503 (15 Henry VI. cap. 6; 19 Henry VII. cap. 7) the crafts persisted in making rules by which apprentices were compelled to pay 20s. or 30s. for entry into the common hall (compare the composition of 1415 in the Norwich documents) — a fine which meant that the craftsmen were practically denied the freedom of the city, and therefore the position of master, and were thus forced to swell the body of journeymen. An Act passed in 1531 ordered that no apprentice should pay more than 2s. 6d. for entry into the common hall; or 3s. 4d. at the end of the term for the freedom of the company; but the companies evaded this law by asking only the statute sum for the freedom of the company, but making the candidates swear they would not trade without license, for which they had to pay at the company's pleasure. This was again forbidden by Henry in 1537 (Blomefield, iii. 181-2). Among the weavers of Newcastle in 1527 all who had finished their apprenticeship were admitted to membership on payment of 13s. 4d., but any man of the craft desirous to be of the fellowship a brother thereof, with power to set up shop, had to pay £20 (Newcastle Guilds). The London grocers in 1345 paid 20s. for each apprentice; the apprentice who wished to belong to the fraternity paid 40s. on leaving his master (Kingdon's Grocers' Company, i. 11, 12).

²¹⁸ Compare Riley's Mem. Lond. 244, 181, 278, 354. Black's Leathersellers, 39.

of the city and the franchise of the craft²¹⁹— was condemned henceforth to remain a mere journeyman without apparently much hope of promotion. For the enrolled journeyman there was some protection, though of a very limited kind, in the guild; but a lower and more helpless class of serving-men was recruited from the apprentices who had not worked out their full time — poor children whose service had begun at seven or twelve, and who while yet mere lads were induced to cut short the seven or ten years fixed in their trade for apprenticeship, and entering hastily on work for a daily wage found themselves from that time forward counted as unskilled labourers;²²⁰ apparently deprived of the protection of the law in the matter of wages, without any standing in the guild, and lying in the power of the craft-masters for their hire, they were for the rest of their lives admitted to work on sufferance as bringing cheap labour into the market. Finally even the statutes which forbade poor country people

²¹⁹ In London no apprentice after his term was to use his trade till he had been sworn to the franchise. (Liber Albus, 272.)

²²⁰ Journeymen among the cutlers and founders who had not served their time as apprentices could only get such wages as the overseers of the trade allowed to them after examination. (Riley's Mem. Lond. 439, 514.) The system was probably widespread to judge from the many ordinances concerning wages. Unskilled journeymen must be spoken of in the ordinances of the bladesmiths. (Riley's Mem. 570.) For serving-men who worked by the day for the glovers see *ibid.* 246. In 1449 at Coventry a reasonable wage seems to have been *4d.* a day; but a capper's journeyman in 1496 got *12d.* a week working twelve hours a day (reference to Coventry records given me by Miss Dormer Harris).

to apprentice their children in the towns,²²¹ far from proving any intention of withdrawing the villagers from the service of the manufacturer, may have been the result of an alliance between landowner and employer to serve their several ends, and have been designed by the town magnate merely to prevent the dependent country workers from flocking into the boroughs in search of apprenticeship and subsequent freedom of the trade.²²² For it seems probable that the town dealers had very early been accustomed to contract with the country folk for the lower and rougher kinds of work. In Norwich, for example, all the tanners' business was at first done in the country, and the skins sent into Norwich to be worked and finished by the parmenters; and it was perhaps but a generation before the passing of the Act of Henry the Fourth that the tanners came into Norwich and settled down by its river side. And in like manner all cloth brought to the Norwich market was country-made, and originally no wool was sold in the Norwich streets and no cloth manufactured in its workshops.²²³ The same system of contracting for work in

²²¹ 7 Henry IV. cap. 17.

²²² The law was done away with when it turned to the hurt of the employers. In a later state of the cloth industry some of the old centres of industry such as London and Norwich and Bristol found their wealth decayed; and decided that their trade was starved for want of workmen while the young people were growing up to idleness and vice. Then the masters, actually threatened with the loss of their manufacturing industries, insisted on new laws allowing them to take apprentices without regard to the Act of Henry the Fourth (11 Henry VII. cap. 11; 12 Henry VII. cap. 1).

²²³ Hudson's Notes about Norwich; in Norfolk and Norwich Arch. Soc. vol. xii.

surrounding villages²²⁴ was known far beyond Norwich, but its local history varied greatly with local circumstances. In that city, where trade was manifestly too vigorous to be shut up into a few square miles, and where the surrounding population had turned into a people of journeymen and artizans, the municipality seems to have inaugurated the policy of governing an industry it had no desire to suppress, by seizing the organization of the country districts into the same hands as that of the town, and bringing the workers under the same municipal control²²⁵— a policy, it would seem, of merchants and employers mainly occupied with the expansion of commerce, and blind to the danger which their experiment implied of the breaking up of municipal life. But in other towns we seem to detect a vain attempt of the working population to clutch at a trade which had grown into a free maturity, and force it back into the old municipal nursery under the tutors and governors of its infancy; as in Worcester, where the

²²⁴ English Guilds, 284-6, 337, 350. See in Exeter the relations of the Tailors' Guild to the suburbs. (Ibid. 310.) Possibly the system may even then have been like the ordinary system which generally prevailed till the end of the last century. In Dereham in Norfolk the site of a line of hovels is still marked in which a group of shoemakers lived and worked for the Norwich masters, whose collector came round every week to collect the finished work. A rich farmer seems to have served as a sort of contractor in the tailoring trade; the upper floor of his house immediately below the roof formed a long room without any partitions in which ten or twelve tailors worked by day and slept by night, and the contractor dispatched their work to the Norwich dealer.

²²⁵ Chap. XII. p. 385. See also the monopoly of the York weavers in the twelfth century, with the control of trade in the whole county which it must have implied. (Gross, i. 108, note.)

ordinances contain many proofs of having been drawn up under strong popular influences, and where the masters were forbidden to give out wool to weavers so long as there were people enough in the city to do the work, “in the hindering of the poor commonalty of the same.”²²⁶ It is evident that the manufacturer might, from his own point of view, feel the strongest objection to flooding the towns with an unmanageable number of workers attached to the guild who could, by virtue of their numbers and their covenanted position, call on the municipal government to interfere for their special benefit in the management of the trade.²²⁷

If we consider therefore the case of the working population in town or country – whether we remember the poor folk of the hamlets, known to Langland, that “have no chattel but their crafts and few pence taketh;”²²⁸ or consider in the towns the lowest class of casual labourers working at a wage of a penny a day, or the little more fortunate groups of unskilled serving-men, or the depressed company of the skilled journeymen; whether we trace in villages or boroughs the astonishing multitude of religious fraternities which sometimes at least concealed an illicit

²²⁶ English Guilds, 383.

²²⁷ Von Ochenkowski (*Wirtschaftliche Entwicklung*, 128-133) scarcely seems to distinguish sufficiently between the objections to the competition of the dealers or masters from the suburbs, and to the employment by town manufacturers of labour outside the town. The resistance would necessarily have come from different quarters and for different reasons.

²²⁸ Cf. *The Common Weal* (ed. E. Lamond), 49.

attempt at self-protection by the wage-earners; or examine the rigour with which towns and guilds repressed every attempt of the working men to combine in any association for their common benefit – we find ourselves again and again confronted with the problem of labour. In the thick darkness which still envelops the subject dogmatism itself is swallowed up. But as we look into the obscurity, the borderland of the covenanted trades and the dim regions that lie beyond their recognized limits become crowded with the masses of the common workers – dreary groups of labourers seething with inarticulate discontent, themselves suffering the terrors and bondage of a harsh law, and from time to time, as they emerge into a brief light of riot and disorder,²²⁹ kindling the alarms of the settled and protected classes above them. Associations of the richer merchants inspired by a common interest drew together for mutual support; and friendly Town Councils whose policy was to keep down the number of voters – especially of poor craftsmen who might be troublesome – and all whose members were indeed themselves employers and craft masters, made alliance with the guilds, and passed laws which, by shutting out apprentices from the freedom of the craft, debarred them from the franchise of the town. It was in vain that from time to time as the evil increased the central government sought to interfere with craft-masters and wardens who “for their own singular profit” made ingenious

²²⁹ The well-known rioter is described by Skelton. *Poems* (ed. Dyce), ii. 43-4.

bye-laws or ordinances for the exclusion of new comers;²³⁰ local alliances were too strong for it, and local wits too cunning, and one of the main results of the triumphant guild system was to develop throughout the country a formless and incoherent multitude of hired labourers, who could by no possibility rise to positions of independence, and had no means of association in self-defence. As the weaker members of the crowd from time to time sank back into utter penury, the outcasts of the industrial system slowly gathered into a new brotherhood of the destitute; and even in the fifteenth century, long before they had been reinforced by the waifs and strays of town and country that flocked into their sad fellowship on the dissolution of the monasteries, the advanced guard of the army of paupers appears in the streets of the boroughs to trouble the counsels of municipal rulers.

²³⁰ This was sometimes done by royal charter. (Hibbert's *Influence of Eng. Guilds*, 96.) All the facts are against the theory of Marx that the merchant was by some hostile force prevented from buying labour, though allowed to buy other commodities. The limitations were of the merchants' and dealers' own making for their own purposes. It is equally improbable that the guild organization excluded division of labour in the workshop. (Marx, *Capital*, &c. i. 352.)

CHAPTER V

THE CRAFTS

The early history of the craft guilds, like that of the municipalities, is the story of communities in the first strength of youth, growing by the force of their own vitality into forms which can be reduced to no mechanical regularity or order, and ever plastic to take on new shapes according to the shifting exigencies of an age when industry, commerce, local government, were all in a state of revolution. In the pride of their first creation, in the humiliation of their later apparent subjection, in the victorious results at last of their long discipline, the guilds reflected successive movements in the great change that transformed English society; and it would be hard to find a single formula in which to express a life so free and various. Like the boroughs their systems of government ranged from constitutions which, if not democratic, were at least republican, to constitutions which placed in command an oligarchy, whether limited or despotic; so that we can scarcely say that the towns borrowed their methods from the guilds, or the guilds from the towns, at a time when both alike were perhaps tentatively feeling their way towards the only solutions of the problem of government which the time and occasion admitted. They had the same period of intense activity, from the awakening of the

new life of England under the Norman kings, till under Henry the Seventh its industrial and commercial position was definitely established. The very difficulties by which they were hemmed in were the true conditions of any lively growth; and it was not till the sixteenth century, when the militant life of the crafts came to an end, that a fatal monotony settled down on their associations – a dreary uniformity²³¹ both of constitution and of policy, which makes their period of triumphant prosperity and imminent decay a record at once tedious and disheartening.

In dealing with the history of commerce the craft guilds necessarily take a foremost place in their character of trading or manufacturing associations; but we are here mainly concerned with what we may call their political relations to the borough, and their influence on the growth of municipal life. The constitution of the craft becomes therefore important, not from its economic results, but as indicating the character and complexion of the guild, the policy which it might be expected to pursue if it attained to authority, and the extent to which it could be supposed to favour popular or democratic theories of government. How far the crafts were actually able to make their influence felt depends on a second question as to the connexion that existed – of what kind and closeness it may have been – between the guilds and the governing body of the borough.

We must remember that the various craft guilds represented

²³¹ This uniformity is well illustrated in the later ordinances of the Hull Guilds. (Lambert, *Two Thousand Years of Guild Life*; Gross, ii. 272.)

all ranks and classes in the industrial world – the capitalist, the middleman, and the working man. There were aristocratic fraternities of the Merchant Adventurers, and of dealers living by the profits of commerce alone, who were grouped in the great mercantile companies such as the vintners and spicers and grocers and mercers. In a lower scale were the middlemen and traders who produced little or nothing themselves, but made their living mainly by selling the produce of the labour of others – such as the saddlers, the drapers, the leather-sellers, the hatters – and whose unions were in fact formidable combinations of employers. Below these again came guilds of artizans employed in preparing work for the dealers, to be by them sold to the general public, as the smiths who worked for the tailors or linen-armourers,²³² the weavers who supplied the clothiers; the joiners, painters, ironsmiths, and coppersmiths who made the saddles and harness for the saddlers; the tawyers who prepared skins for the leather-sellers; the cap-makers who fulled the caps which the hatters sold.²³³ Finally there remained the crafts which both manufactured and sold their own wares, like the bakers, tailors, or shoemakers, and who dealt directly with the consumer without the intervention of any other guild. It is evident that these

²³² Clode, *Merchant Tailors*, p. 2.

²³³ In 1311 the “hatters” and the “dealers who bought and sold hats” in London were two quite distinct callings. (Riley’s *Mem.* 90.) The distinction was well known in 1327 between the saddlers and the various orders of workmen employed in manufacturing for them. (*Ibid.* 157-8.)

various associations had all their own business to do,²³⁴ and that their policy differed as widely as did the interests of the several classes. We do not find a guild of merchants or dealers trying to raise wages or shorten hours; or a guild of artizans seeking to depress labour and assert the supremacy of the middleman; or a mixed guild of masters and men intent upon lowering prices for the public. But we may still ask whether behind all obvious divergences of interest and of power, there was any ruling instinct common to all these brotherhoods of trade.

The original motives which drew men together into craft guilds were no doubt everywhere the same – the desire to obtain the monopoly of their trade and complete control over it;²³⁵ and also to find the security which in those days organized

²³⁴ A separation of the guilds into these groups is sufficient of itself to shew of how little value the generalizations of Marx are as to the relations of the crafts to capital; and how misleading it is to represent the guilds as providing the main opposition to merchants or capitalists, especially in the matter of refusing the supply of labour. (See Marx i. 352.)

²³⁵ Seligman (Two Chapters on Mediæval Guilds, 69) states that the crafts were not charitable associations giving relief to poor members till the fifteenth century. Out of twelve crafts mentioned in English Guilds, nine gave relief to poor, and three do not mention it. For the Braelers in London, 1355, see Riley's Mem. 277; the White lawyers, 1346, *ibid.* 232; the Lorimers, 1261, *Liber Cust.* 78-80. Most of the ordinances in Riley's Mem. make no mention of relief, but the ordinances are so manifestly incomplete – merely additions or alterations made for some special purpose – that no argument can be drawn from them. The vast majority of religious or social guilds had some charitable provisions, and in many cases these were certainly trade guilds. The probability seems to lie on the side of help given to poor members from the first.

associations alone could give to the poor and helpless against tyrannical and corrupt administration of the law, just as in the country men enrolled themselves under the livery of a lord or knight who was their adequate protector against the iniquities of the courts²³⁶ and by whose arbitration their quarrels were adjusted.²³⁷ For these purposes associations were formed of the entire trades of various districts. All the members of the craft, great and small, were enrolled in the fraternity; and thus every guild, to whatever order in the hierarchy of industry it belonged, contained within itself the various ranks of workers who belonged to that particular occupation. It is in this organization of the whole craft into a compact body arrayed in self-defence against the world outside, and in the

²³⁶ The way in which the guilds fought in defence of their voluntary courts of arbitration, and the objection of the towns to these, is in itself proof enough of the importance to their members of a tribunal, however voluntary and arbitrary, which might relieve them from the interference on every occasion of the local magistrates, and the party politics of the town. The advantages of association in case of being called before the greater courts is evident from the account of mediæval procedure given in Sir J. Stephen's *History of the Criminal Law*. The illustrations afforded by the *Paston Letters* are without number. See *Manorial Pleas* (Selden Soc.), 136. For the heavy cost involved by the corrupt practices of lawyers, judges, pleaders, and attorneys, see the action brought in 1275 by an advocate against an employer who had withdrawn from the case; the advocate sues for his fees and also for having been prevented by the stopping of the case from getting a very large sum of money out of the other side. (*Ibid.* 155-6.)

²³⁷ It was a disgrace to the lord if any of his "livery" appeared in the law courts. The protection extended to the members of a craft was really efficient. See the punishment of a grocer who in 1404 had turned another of the company out of his house. (*Kingdon's Grocers' Company*, i. 93.)

means that were used to maintain it, that we trace the peculiar characteristics of the mediæval guild as opposed to those of modern associations. From the very outset its society was based on compulsion. Dealer or artizan had no choice as to whether he would join the association of his trade or no, that question being settled by the charter which gave the craft power to compel every workman to enter into its circle. A constitution such as this left a profound mark on the conduct and ultimate policy of every guild, for where there was no real freedom of association there proved at last to be no real freedom of government. Societies such as the modern trade union, created and maintained by the good will of men naturally bound to one another by common occupation and interests, and who expect from their association a common benefit, may long persist as voluntary institutions with a democratic government. But the ancient guild – a fraternity of the whole trade with all its ranks and classes, employers and wage-earners alike, compulsorily bound together into one fellowship as against the world without, and whose common interest in association tended to become more and more visionary – was inevitably driven to preserve by force an artificial and ill-compacted union; and instead of a free self-governing community, there grew up a society ruled by its leading members in a more or less despotic fashion, according to the character of the trade itself and to the support given to its governors by the authorities at Westminster or in the municipality.²³⁸

²³⁸ The grocers in London claimed control over every one who kept a shop of spicery

(1) For it is plain that no intimate union can ever have existed between the three orders that practically made up the guild.²³⁹ At the head of the society stood the master and the aldermen or wardens, drawn from among the wealthiest men of the trade; and grouped immediately round them were all those who, after having passed through these offices, retained for life a position of dignity among the members, and from whom the court of assistants or governing council was wholly or partly formed.

(2) Then came the commonalty, the craft-holders or shopkeepers or “masters” of the trade – a term which by no means necessarily implies *employers* of labour, but rather artificers admitted into the “mestier”²⁴⁰ or mystery – who were alone responsible before the law for offences²⁴¹ committed in their shops or work-rooms, and were therefore alone authorized by the guild to take work from a customer.²⁴²

even if he did not wear their livery (Kingdon’s Grocers’ Company, i. 66); but those who refused the livery were fined. The liveried members paid 2s. 6d. for the dinner, and “every man out of the clothing as us seemed they might bear.” (Ibid. ii. 239, 258.) A list was kept of those who wore the livery, those who wore gowns, and householders and bachelors not in livery. (Ibid. 175-177.)

²³⁹ These divisions must be taken in a general sense. Five orders are mentioned among the Merchant Taylors (Clode, 8-9); but these really fall into three main groups. For our present purpose the “Bachelors,” an intermediate rank formed in some of the richer crafts, may be omitted.

²⁴⁰ See Du Cange.

²⁴¹ Riley’s Mem. Lond. 258. See the case of the London bakers where a special ordinance was needed to make the servants liable to punishment for the grossest frauds in the absence of the masters. (Ibid. 181-2.)

²⁴² If a craftsman not admitted to the freedom of the guild took work, the customer

(3) Last came the hired workers – that is the trained journeymen or serving-men; for the unskilled labourers working for a daily hire and apprentices can scarcely be reckoned as in any sense members of the guild.

In a society thus constituted the notion of self-government never for a moment implied the modern notion of democracy, or even the idea that authority should be exercised only by the will of the majority. In some fraternities indeed the whole community of craft-masters took part directly in the yearly election of officers, though probably this was the extreme bound and limit of their influence;²⁴³ but in general there was the same tendency in the guilds as in the boroughs to choose their governors by some indirect and complicated system through which the commonalty was kept well in restraint. Either the alderman himself nominated candidates for the various offices, from among whom the select council or fellowship made their choice, or he appointed a few picked men, five or seven or eight as the case might be, to choose the rulers for the next year.²⁴⁴ In the same way the two or four “sufficient and discreet men” who were to assist the alderman,

in case of fraud had only the protection of the common law, and could not appeal to the town or guild ordinances. (English Guilds, 322.)

²⁴³ From time to time there were protests on the part of the members of the craft against the power of the oligarchy. There was such a case in the London Grocers’ Company, when an attempt was made in 1444 to limit the power of the wardens in appointing new members. (Kingdon’s Grocers’ Company, i. 123.)

²⁴⁴ English Guilds, 30, 35, 289. Twelve of the discreetest of the smiths at Coventry elected the keepers, and formed the court to try offenders.

“the helpmen and overseers,” or the council of eight or twelve or twenty-four, were chosen either by a similar committee, or by the direct choice of the alderman himself “with the aid of his fraternity.”²⁴⁵ Nor is there any evidence that this method of government by the select few was a growth of later corruption; it is more probable that in societies which could only be founded at the wish of the more prosperous men in the trade, since they alone could undertake to raise the money for its charter or guarantee the payment of its yearly rent, these men were accustomed, in return for their money or as a security for it, to hold the management of the community in their own hands; and this seems confirmed by traces of the system which we find in very early times, as well as by what we know of the origins of later fraternities.

²⁴⁵ Lambert’s Guild Life, 113, 129; English Guilds, 156, 159, 162, 217, 160, 169, 31, 164, 167, 318, 445. The weavers’ guild was governed by a council of twenty-four as early as the thirteenth century. (Lib. Cus. 424.) In religious or social guilds there were cases where the election of officers was made by the assent of all the brethren (English Guilds, 47, 49, 148, 213, 232), or “with the assent of the *elder part* of the brethren and sistern of the guild” (ibid. 150); but the prevailing custom was the appointment of picked men to choose the officers. (English Guilds, 62, 64, 71, 75, 83, 89, 91, 97, 119, 266.) In one case “all the brethren whom the alderman should send for” were to elect officers. (Ibid. 35.) In another the alderman chose two men, the company chose two others, these four chose two more, and the six elected officers. In a later form copied for another craft instead of the “company” the “masters of the guild” chose two men. (Ibid. 276.) In one case a new provost was chosen by the four provosts of the past year. (Ibid. 186.) In the Grocers’ Company the wardens appointed their successors. (Kingdon’s Grocers’ Company, i. 10, 14, 18.) A similar custom prevailed in the Southampton Guild Merchant.

If the power of the masters was thus limited, the mere journeymen were practically of no account at all in such great matters as election and legislation. Perhaps in some trades they occasionally exercised a slight influence, as in the case of the London bowyers, whose ordinances were agreed to “as well by serving-men as by masters.”²⁴⁶ But in general it is doubtful whether the voice of the hired worker was ever heard or his will consulted, however much his obedience to the ordinances was required and enforced. It was supposed that his interests were sufficiently protected by the town authorities, to whom an alien who was cheated by his master, a journeyman who found his wages paid on the truck system, or a weaver who saw his labour supplanted by that of a woman or a foreigner, could make his complaint; and who were bound to see that no freeman of the borough took more apprentices into his household than he could promise to support comfortably; that the apprentice was not chastised beyond measure, nor turned out penniless at the end of his service;²⁴⁷ and that no fraudulent action of his master

²⁴⁶ Riley’s Mem. 348. In the Cordwainers’ Guild of Exeter (1481) two of the wardens were chosen from the shop-holders, and two from the journeymen. (English Guilds, 332.) It would seem that among the coruesers of Bristol the journeymen had a certain recognized position, the visible sign of which was their having the right to provide lights carried in the municipal processions at certain feasts; and when in 1454 “divers debates and murmurs had arisen between the masters and crafts of the coruesers and the journeymen,” and the masters and craft-holders sought to deprive the journeymen of this right, the attempt was vigorously and successfully resisted.

²⁴⁷ In Ipswich when a youth in 1448 was apprenticed to a barber for seven years it was stipulated that he should get suitable clothing, shoes, bedding, board, and chastisement.

should rob him of the benefit of the exact tale of the years of service he had fulfilled.²⁴⁸

In all that concerned the hired worker, indeed, law had become so rigid and so detailed by the time that Parliament, the Town Council, and the Craft wardens, had taken their turn at legislation, that it might be plausibly assumed that nothing remained for the discussion of the working man. By a series of statutes Parliament endeavoured to keep the hire of the workers and the length of the working day fixed in spite of the increase of trade;²⁴⁹ and mayors and bailiffs in all boroughs²⁵⁰ were ordered to compel labour to keep its allotted times, and to proclaim the wages of craftsmen twice a year, “and that a pair of stocks be in every town to justify the same servants and labourers.”²⁵¹

(Hist. MSS. Com. ix. 259.) At Romney in 1451 it was decreed that at the end of his service the apprentice should receive from his master 10s. or a bed of that value. (Ibid. v. 543). A decree against using daggers or knives or making any affray was limited by the phrase, “provided always that it shall be lawful to any inhabitant to correct his servant or apprentice according to the law.” (English Guilds, 390.) But on the other hand when a master among the tailors at Exeter chastised his servant so far as to bruise his arm and break his head, he had not only to give a fine to the craft but to give the servant 15s. and a month’s board and to pay his doctor. (Ibid. 322.)

²⁴⁸ A master retiring from trade might sell and devise the services of his apprentice to a new master, but if there was any suspicion that a sale had been so managed that the apprentice lost credit for one or two years of the service which he had actually fulfilled both the masters were deprived of the freedom of the city and craft. (Paston Letters, i. 378.)

²⁴⁹ See note A at end of chapter.

²⁵⁰ Statutes 6 Henry VI. cap. 3.

²⁵¹ Statutes 12 Richard II. cap. 3.

Whatever was left undefined by Parliament was put under rule by the subordinate authorities. Town Councils made provision for the punishment of “rebel and contrarious” men in the mayor’s court, examined and corrected the customs of the crafts, forbade workmen to make their bargains anywhere save openly at the market cross, and fined them if they stood there beyond one day in the week,²⁵² probably on the supposition that they were holding out for a higher wage or shorter hours. The guild-masters regulated the prices to be paid for piece-work,²⁵³ issued orders allowing work to be done by night, and made rules as to apprenticeship and service.²⁵⁴ For greater security moreover the masters were accustomed to enter into covenants for mutual protection against their servants – “And if any serving-man shall conduct himself in any other manner than properly towards his master, and act rebelliously towards him,” said the Whittawyers,

²⁵² English Guilds, 395, 285-6; Hist. MSS. Com. v. 530; Riley’s Mem. Lond. 246.

²⁵³ Riley’s Mem. Lond. 307; English Guilds, 285-6. Piece-work was common in many trades. In Newcastle the guild of fullers and dyers in their ordinances of 1477 regulated the price of fulling and shearing the various kinds of cloth by piece-work at so much a yard. The weavers also worked by the piece. The Newcastle slaters had been formed into a guild and had ordinances in 1451 with similar regulations; the bricklayers and plasterers were in a guild in 1454 (Newcastle Guilds). There was piece-work among the tawyers. (Riley’s Mem. Lond. 330-1.) In Winchester the weavers probably worked at from 3*d.* to 4*d.* a day, as they were ordered to take from Hallow Eve to the Annunciation for their work but 1*s.* 6*d.*, and from the Annunciation to Hallow Eve but 2*s.*

²⁵⁴ In 1265 Leicester weavers were allowed by the guild to weave by night as well as by day. (Gross, ii. 144.)

“no one of the trade shall set him to work until he shall have made amends before the mayor and aldermen.”²⁵⁵ On the other hand journeymen were invariably bound by oath not to make any sort of confederation among themselves,²⁵⁶— a precaution which State and town and guild were equally vigilant in enforcing. Under such a system as this, if at any time the workers proposed to disturb the statute wage or the statute day, they had to contend not only against the upper class of their own craft, the masters and wardens and shopkeepers, but against the governing body of the town, and the opposition of the whole community.

Neither oaths nor laws nor public opinion however could permanently prevent men from combining to better their position, and from time to time we can follow the fortunes of a struggle which, when the town records are published, will probably be shown to have been very general. In London alone we have during a single century records of strikes among the workmen of four trades – the shearmen, the saddlers, the shoemakers, and the tailors.

The journeymen of the cloth shearers took a lesson in combination from the employers. “If there was any dispute between a master in the said trade and his man,” ran the complaint of the masters about 1350, “such man has been wont

²⁵⁵ Riley’s Mem. Lond. 232-3. This was true of a great number of trades. (Ibid. 244, 245-7, 258, &c. For Lincoln tailors, English Guilds, 183. Kingdon’s Grocers’ Company, i. 20-21.) In this last company public notice was given of a servant who had left his master to prevent his being engaged by another.

²⁵⁶ Hibbert’s Influence of English Guilds, 64.

to go to all the men within the city of the same trade, and then by covin and conspiracy between them made, they would order that no one among them should work or serve his own master, until the said master and his servant or man had come to an agreement; by reason whereof the masters in the said trade have been in great trouble and the people left unserved.” These men were also making a covert attempt to raise their payment by refusing to work at day wages, and insisting on piece-work through which they could gain more money; while the masters, so long as they were forced by law to sell at a fixed price, had a valid reason for protesting before the mayor that there must be some relation between lowering the price of their wares and raising the wages of their workmen, or they themselves would be set between the upper and nether mill-stone; and for making a petition that the men might be chastised and commanded to work according to the ancient usage “as matter of charity and for the profit of the people.” The city magistrates granted ordinances which forbade any attempt to settle trade disputes by strikes, and ordered all complaints to be brought before the warden of the craft (himself of course a master), and failing him before the mayor. Though the court did not forbid piece-work, it fixed its price at the low rate that prevailed before the Plague.²⁵⁷ On the whole the victory therefore lay with the masters.

The shoemakers’ servants were early in the field. They made their first rebellion before 1306, the main results of which

²⁵⁷ Riley’s Mem. 247-8, 250-1, 256.

seem to have been a decree added to their old ordinances that the journeymen of the trade should make no provisions to the prejudice of the public;²⁵⁸ and perhaps the imposition of an oath that they would not make among themselves any union or confederation.²⁵⁹ For eighty years they waited before making a new attempt. At last in 1387 a “great congregation” of them met at the Black Friars “and there did conspire and confederate to hold together ... and because that Richard Bonet of the trade aforesaid would not agree with them made assault upon him so that he hardly escaped with his life ... to the alarm of the neighbours.” The meeting was illegal, not only because of their oath, but because of a law passed four years before to forbid any confederation among workers; so to make their position more regular the poor shoemakers hit upon the plan of calling in the help of a friendly friar preacher, “Brother William Bartone by name, who had made an agreement with their companions that he would make suit in the Court of Rome for confirmation of that fraternity by the Pope; so that on pain of excommunication and of still more grievous sentence (!) afterwards to be fulminated, no man should dare to interfere with the well-being of the fraternity. For doing the which he had received a certain sum of money which had been collected among their said companions.” This form of Papal interference, however, was not to the mind of Londoners – “a deed,” they said, “which notoriously redounds to

²⁵⁸ Lib. Cus. 84.

²⁵⁹ Riley’s Mem. 495.

the weakening of the liberties of the said city and of the powers of the officers of the same.” The mayor accordingly threw the leaders into prison,²⁶⁰ and the attempt of the luckless journeymen came to an end.

The serving-men of the saddlers tried another plan, and formed in 1383 a religious fraternity whose ostensible duties were perfectly harmless. Its members were wont once a year to array themselves in a like suit and go out beyond the city bounds to Stratford (in other words, out of reach for the moment of the city authorities) where they held a meeting, and returned to hear mass in honour of the Virgin in the church next to the Saddlers’ Hall; also from time to time their beadle would summon journeymen to attend at vigils of the dead and pray for the souls of their old comrades. According to the masters, however, this was but “a certain feigned colour of sanctity” under which the men merely wasted their masters’ time and conspired to “raise wages greatly in excess” – in fact in the space of thirteen years, from 1373 to 1396, they had increased their hire to twice or three times the old customary rate. The mayor and aldermen agreed with the masters as to the dangerous character of these proceedings, forbade any such meetings or any fraternities for

²⁶⁰ Mem. Lond. 495-6. The friars from time to time appear as supporters of the poorer people. In Coventry the White Friars was the meeting place for the fellowship of the crafts and for the tilers’ company in the fifteenth century; and Friar John Bredon played the part of a local agitator. The policy of the Friars was often, as in Canterbury, part of a general antagonism to other religious establishments. (Hist. MSS. Com. ix. 98.)

the future, and ordered that the serving-men should be under the masters, and that the “masters must properly treat and govern” them as in all other trades.²⁶¹

The journeymen tailors took a bolder line, for they not only held illegal meetings both within and without the city bounds, at which they assembled wearing a common livery, but also hired houses in the city where they lived in companies, and defied both their own masters and the officers of the city. Whereupon the masters and wardens of the trade notified to the mayor and aldermen “that they were exceedingly sorrowful at there being such offenders and such misdeeds”; and the mayor and aldermen “after holding careful council and conference thereon” decided that it was manifestly to the public peril to allow journeymen and serving-men – a race at once youthful and unstable – to have a common livery at their assemblies, or common dwelling-houses by themselves. The settlement was broken up, and livery and meetings forbidden. Then the tailors also put on the colour of sanctity, and a couple of years later (in 1417) we find them petitioning to be allowed to meet for prayers and offerings for the souls of deceased tailors.²⁶²

That similar attempts, with the same impotent conclusions, took place in other manufacturing towns is certain; though

²⁶¹ Mem. Lond. 543-4. The suppression of the May-day festival of the journeymen shearmen in Shrewsbury was very possibly a similar putting down of confederations and conspiracies. (Hibbert's *Inf. and Dev. of Eng. Gilds*, 120-2.) See also the *Bristol Coruesers*, p. 119, n. 1.

²⁶² Riley's *Mem. Lond.* 609-12, 653. *Clode*, 4, 22-29.

we have not yet the means of measuring the extent of the movement. The uniform failure of every effort at revolt, even the acquiescence of the workmen when revolt was impossible, declare the helplessness of the mediæval labourer, entangled as he was in a vast net-work of commercial theories, administrative maxims, and arguments of vested interests public and private. For in a society where law ruled all industry, the whole community was on the alert to resist any defiance of ordinances avowedly made for their own protection.²⁶³ The right to strike was denied by law and vehemently resisted by public opinion as contrary to the common good; and disputes were settled, not as now by an agreement voluntarily made within the trade, but by the formal decision of the municipality, against which there was no appeal.

At the same time it is evident that in their dealings with journeymen and hired servants, if in no other respect, the municipalities did no more than carry out exactly the intentions of the guilds themselves. From the moment that they come into view the crafts – that is, all the more important ones, for from the nature of the case we know very little about the poorer sort of associations or the humbler trades concealed under the form of religious societies – are distinguished by the same creed and policy. Their essential character was laid down in

²⁶³ The town records of Shrewsbury note in 1516 a reward to the king's messenger bearing letters concerning the insurrection of the apprentices of the City of London. (Owen's Shrewsbury, i. 284.)

the oligarchic schemes of administration to which they inclined; and, as we have seen, the purity of the guild government was further maintained by the pains which was taken to prevent the journeymen from pressing on into the upper ranks and weakening the established system by multiplying the number of small masters; and to select with adequate care the people admitted to be subjects with constitutional rights – a people chosen as far as possible from an upper class and even from the hereditary stock of the guild.²⁶⁴ By an original stringent constitution therefore, and by their own later discipline, the governing oligarchy was protected as by a double course of entrenchments; and a third line of defence was formed by keeping guard over every entrance through which the common workman might make his way into the superior class of artizans who, in however inferior a degree, might still be recognized as more or less officially attached to the craft. In its very nature, therefore, the guild organization was adverse to the claims of the men who worked for hire, and under its government the journeyman was practically condemned without a hearing. What with the influence exercised by the masters in the Town Council and government, and what with the credulous fears of the public of consumers when they were told what “contrarious” workmen might do in raising prices and limiting supply, and “the many losses which might happen in future times” through combinations of hired labour, the victory of the employers was never for a

²⁶⁴ See p. 102, note 2.

moment doubtful,²⁶⁵ and unions of journeymen such as those which sprang up in the fourteenth and first half of the fifteenth centuries, broken and disabled almost at the outset, seem, so far as we can see, to have been again and again crushed out of existence by the overwhelming forces of guild and town and state brought to bear on them, and to have found no permanent life till the eighteenth century.

There was no doubt a sense in which the strong rule of a governing oligarchy fully justified itself throughout the course of the struggle for autonomy between the rising crafts and the rising municipalities. Shaking itself free from discussions and divisions within its own body by asserting the triumph of the stronger party, the guild was able to maintain in practice the consistent theory of its constitution – the undisputed supremacy of the masters in the regulation of the trade policy; and through centuries of varying and doubtful fortunes the crafts still contrived to present to the world outside an unbroken front and a certain air of independence; holding together in companies under leaders of their own choosing, and, save in rare instances, scorning to stoop to the custom common in France or Germany of having their chief officer appointed by some external authority.²⁶⁶ But this bold militant attitude was only maintained through a rigid discipline, and by a ruthless

²⁶⁵ See Note A, p. 160.

²⁶⁶ English Guilds, cxxi. For an exception at Hull see Lambert's *Guild Life*, 188. For Canterbury see H.M.C. ix. 173-4.

suppression of every attempt to break the ranks. A body to all appearance uniform, but in fact split up into two or three hostile groups, the craft only preserved its air of harmony by abandoning all pretence at democratic government, and avowedly subduing the weaker classes to the stronger. The policy which had been its safety in the time of conflict remained its settled creed in the time of power. It is clear, therefore, that if ever the members of the guild forced their way into the council chamber of the town, their appearance can scarcely be taken as marking a popular or democratic movement. That it enlarged the governing class by bringing in a new group of men to take part in the active political life of the country is evident; but on the other hand these men do not seem to have contributed a single idea to political experience, or carried political experiment a single step further. Saturated with the customary views of administration which were the fashion in the upper class of town society, and by which their own interests had been so well served, the craft-masters sent their representatives to the council only to give new strength to the coercive policy of the governing oligarchy. The character of the trade fraternity was fully shown when, victorious over the foes of its own household, strong in its complete organization, the craft guild rose out of its long subjection to public control, and seizing into its own hands municipal authority, destroyed its terrors for the trader. When this last step was taken the crafts stood forth in full realization of their ideal – close corporations fully equipped against the whole body of consumers, and masters

of the labour of the country. What has been called the decline of the guild system may more truly be called its triumph – the revelation of its constant aim and true significance.

NOTE A

Statute Wages in 1388

	<i>s.</i>	<i>d.</i>	
Bailiff for husbandry	13	4	a year with clothing
Master-hind, carter, shepherd	10	0	
Ox-herd and cow-herd	6	8	
Cowdriver	7	0	
Swine-herd and woman labourer	6	0	

No servant of artificer or victualler in a town was to take more than those in the country (12 Richard II. cap. 4.).

In 1444.

	<i>s.</i>	<i>d.</i>		<i>s.</i>	<i>d.</i>	
Bailiff of husbandry	23	4	With clothing	5	0	and food
Hind, carter, shepherd	20	0	"	4	0	"
Labourer	15	0	"	3	4	"
Woman servant	10	0	"	4	0	"

Summer wages of mason or carpenter 4*d.* a day with food, without 5*d.*; tiler, slater, rough mason, and builders 3*d.* with food; other labourers 2*d.* Without food 1*d.* more in all cases. Winter wages 1*d.* less all round. In harvest a mower 4*d.*, reaper 3*d.*; labourers 2*d.*; 2*d.* more for meat and drink. (23 Henry VI. cap. 12.)

In 1495.

	<i>s.</i>	<i>d.</i>		<i>s.</i>	<i>d.</i>
Bailiffs had risen to	26	8	With clothing	5	0
Carters, shepherd, &c., remained at	20	0	" — "	5	0

The hire of women, children, and artificers remained the same. (11 Henry VII. cap. 22.)

By 12 Henry VII. cap. 3, all statutes fixing the wages of artificers and labourers were made void for masons and all concerned in building, and servants in husbandry. Rogers (Work and Wages, ii. 327) fixes the wages of the ordinary artizan in the fifteenth century at 6*d.* a day and agricultural wages at 4*d.*, carpenters a little under 6*d.*, plumbers 6-1/2*d.*, masons 6*d.* The board of a skilled artizan might cost in 1438 about 2*s.*, of a common labourer about 1*s.*, very commonly from 8*d.* to 10*d.*, most generally 8*d.* (Agriculture and Prices, iv. 505, 751-2.) In 1395 a Nottingham "layer" was charged for working two days as stone-cutter for 12*d.* against the law, and the jury stated that

“all the carpenters, all the plasterers, all the stone-cutters, all the labourers, take too much for their craft by the day, against the statute of our lord the King.” (Nott. Rec. i. 275.) For a list of wages paid in 1464 see *ibid.* ii. 370-373; in 1511 *iii.* 328-337. In 1495 a man was employed to dig stones at 3*d.* a day without food.

That there was difficulty in enforcing the legal wage and that there was often a difference between the prices actually paid and those which the law books spoke of as still valid is evident from the ingenious methods in use of evading the law. Sometimes the workman was paid his board wages and given his food besides; or false entries were made in the account books; or a yearly fee was given in addition to wages; or he was paid a sum of so much a mile for coming to and going from his work; or his wages were calculated at 6*d.* or 5*d.* according to ability for 365 days in the year, against the statute which forbade the workman to receive hire for holidays or for the eves of feasts. (Rogers' Agric. and Prices, i. 255; Work and Wages, ii. 328-330; Stat. 4 Henry IV. cap. 14.)

The legal hours of work for country labourers from March to September were from 5 A.M. till between 7 and 8 P.M., with half an hour for breakfast, an hour and a half for dinner; from September to March, from the springing of the day till the night of the same day. They were not to sleep in daytime save after dinner from May to August. (Stat. 11 Henry VII. cap. 22.) The Saturday half-holiday from noon seems to have been universal. In shops trading on Sundays, holidays and

vigils was very generally forbidden in the middle of the fifteenth century, save in harvest time, and unless “great high need may excuse.” (Kingdon’s Grocers’ Company, ii. 190; Hist. MSS. Com. xi. 3, 169.) Rogers (Work and Wages, i. 180-2) calculates that an artizan working three hundred days a year could earn from £3 15s. 0d. to £4 7s. 6d., and in London might get from £6 5s. 0d. to £6 17s. 6 d. a year. Walter of Henley (ed. by Miss Lamond, p. 9) gives forty-four weeks, leaving eight weeks “for holidays and other hindrances.” But in his translation of Walter’s Husbandry, Bishop Grosseteste adds a phrase (ibid. 45) which throws a new light on the matter. “In these forty-four weeks be 264 days besides Sundays” – an explanation which certainly expands the amount of leisure allowed to country labourers, whether it applied to town artizans or no.

CHAPTER VI

THE CRAFTS AND THE TOWN

From the mediæval Craft Association to the modern Trade Union the distance, as we have seen, is great. In the guild or “mystery” of the older world, instead of associations of working men we have to deal mainly with associations of producers or middlemen, whose battle is not the organized attack of wage-earners on the profits of their masters, but an attempt of dealers and manufacturers to stand out for their interests against the whole body of consumers or against the aggressions of competing trades; while far from being a voluntary association, or a self-governed institution of spontaneous growth, its individual members were if necessary enrolled by compulsion, and governed with little regard to their own consent. But the relations between the trades and the municipalities show a yet more striking contrast. According to a modern English theory the common good is best served when we allow every artizan and trader perfect liberty to develop his own industry in his own way.²⁶⁷ But the mediæval world was fully convinced that since all trade and manufacture was carried on for the benefit of

²⁶⁷ “The people must cheerfully maintain the government, within whose functions however it does not lie to support the people.” Cleveland’s Presidential Address. Mar. 6, 1893.

the public, all trade and manufacture should be subject to public control; and no one then questioned that it was the duty and the right of the State or the municipality to fix hours of labour, rates of wages, prices of goods, times and places of sale, the quality of the wares to be sold, and so on. In the interest, not of the trader or manufacturer, but of the whole community, the central government made general laws for regulating industry, and the towns carried out these laws by their officers and filled up the blanks of legislation after their own will; while in the exercise of the enormous power which law and public opinion gave to the authorities, the power of the people was supposed to be used with impartial justice alike against the dealer or the employer and the artizan or serving man, whenever individual claims clashed with what seemed to be the public advantage. Hence to the governing body of the borough the trade association was a mere matter of public convenience; and was so little regarded as depending on the free will of the craft itself that it was frequently founded by order of the town, and was invariably compelled to make submission to superior force and receive orders from its master the municipality. Unable to secure the passing of any new rule save by convincing the authorities on some pretext or other that it was devised in the interest of the whole commonwealth, the craft came at last to be considered as a society which existed mainly for the advantage of "the common people of the realm," and indeed, bowing to a hard necessity, itself contracted the habit of solemnly disavowing any special regard for "its own singular

profit,” and apologetically described itself as the humble servant of the municipality and the obedient minister of the public, in phrases which the modern trade union would scarcely accept as an adequate description of its uses.

This service of the public, however, was in no sense a voluntary tribute of the guilds, nor did it enter in the slightest degree into their original scheme; and if through long and severe compulsion the crafts learned to wear with decorum their odd cloak of apparent devotion to the common weal, behind this ostensible policy and feigned colour of self-abnegation they had still their own purposes to serve, which were by no means the purposes of the rest of the community. Occasions of discord were probably far more frequent than provocations to unity and concord in the society of a mediæval town, with its hierarchy of struggling workers – the rising dealers, the small masters who employed two or three servants, the artizans who let down the ledge from their window to display the goods which they had themselves made, journeymen working for a statute wage, and unskilled labourers for whatever they could get – men for the most part living meagrely by incessant toil, and to whom the public, thrifty and inclined to bargains, was “the enemy”; and with its population of consumers, poor and ignorant, without the means of travelling, forced to buy what they wanted on the spot and thus deprived of such protection as may be given by a larger competition, able to afford little beyond the mere necessities of life so that every fraud brought to them real suffering, and

to whom the trader represented the ancient adversary lying in wait among the gins which he had privily set for the innocent. The thin veil of civility thrown over the situation by the polite phrases of contemporary convention which have come down to us in ordinance and compact deceived nobody concerned, and between the “poor commons” and the whole army of crafts reconciliation never went farther than an armed truce. To the consumer the dealers seemed all alike steeped in iniquity. Shopkeepers measured out their wares “by horn or by aim of hand,” or in chance cups and dishes; and sold in dark corners where a man could not see what scamped work and deceitful goods were being handed over to him. Clothiers gave out bad yarn in scanty measure, and stretched out the list of their cloth with cunning presses “in deceit of the poor commons.” Hatters because they knew that everyone must needs wear hats charged exorbitantly for their wares, and shoemakers were no better, so that statute after statute vainly sought to mend them. Chandlers asked scandalous prices for wax candles, images, and figures, “by which means divers of the people be defrauded of their good intent and devotion.”²⁶⁸ “All the bakers, butchers, fishers, taverners, poulterers, chandlers, tanners, shoemakers, cooks, hostellers, weavers, and fullers,” according to the comprehensive statement of the Nottingham Mickletorn jury in 1395, were asking too high prices and selling bad goods; and they go on

²⁶⁸ Stat. 11 Henry VI. cap. 12.

the next year to repeat the same complaints.²⁶⁹ Above all the anger of the common folk burned hot against the traders they knew best, the powerful licensed victuallers who heaped up to themselves riches with the food that should have fed the starving workers: “for took they on truly, they timbered not so high.” The “sundry sorrows in cities,” fevers and murrains and floods, or fires which burned down half the town and seemed ever to begin by the falling of a candle at a brewer’s or some “cursed place,” were the vivid testimony of the anathema of the poor and the righteous vengeance of heaven falling on the sinful traders;²⁷⁰ and the common rumour of the market is still heard behind the poet’s parable of the day when Guile was at the point of death, and when it was only the shopkeepers who recovered him to life:

“But merchants met with him and made him abide,
And shuten him in their shops to shoven their ware,
And parrelled him like their prentice the people to serve.”²⁷¹

As for the crafts, on the other hand, whether they were combinations of employers, or associations of middlemen or dealers, or unions of wage-earners, or societies of masters and men, in one respect their unanimity was unbroken; for inspired by a reasonable hostility to the consumer who wanted to cheapen

²⁶⁹ Nott. Rec. i. 268-272, 316-318. See also Hist. MSS. Com. vi. 582.

²⁷⁰ Piers Ploughman. Pass. iv. 80-118. There is an instance of a guild in which no parson, baker, or wife, was admitted. (Eng. Gilds, 271).

²⁷¹ Piers Ploughman. Pass. iii. 222.

their wares, they were all ranged on the same side in the common controversy as to who was ultimately to fix prices, the seller or the buyer. Then obvious policy was declared in a number of conspiracies which were constantly made in the various trades to raise prices by combination among the dealers, but unfortunately for the traders, always on the watch as they were for opportunities, they still found the public as alert as themselves, and more powerful to accomplish their will. When Edward the Third in 1331 fixed the price of wine of Gascony at 4*d.* a gallon the retail dealers, who had apparently found their profit best secured by the absence of any statutory prices for their goods, broke into open rebellion, and “all the taverners of the city making a confederacy and alliance among them” closed the doors of their taverns and would not allow their wines to be sold; till to “put a check upon this malignancy” the mayor and sheriffs proceeded through the city, and had the names of the taverners so closing their taverns written down, twenty-nine in number, and twelve men from each ward of the city were summoned by the authorities to decide in the name of the injured wine-drinkers upon the punishment to be awarded to the taverners for their contumacy.²⁷² In 1363 and again in 1411 the consumer was protected by law against the rich Pepperers who had formed

²⁷² Riley's Mem. 182. A summary of the conflict on the price of wine is given in Schanz, i. 642-50. By 5 Richard II. Stat. i. cap. 4 if a vintner refused to sell at the right price the mayor might deliver the wine to any buyer at statute cost.

a company in 1345, and were accused of raising prices.²⁷³ The whole body of chandlers in Norwich were presented at the Court Leet in 1300 for a certain agreement made among themselves that “no one of them shall sell a pound of candles for less than another.”²⁷⁴ And in 1329 when a lime-burner of London bound all the members of his trade by oath not to sell lime below a fixed price, and “by reason of his great conspiracy” almost doubled the price of lime, the city rulers imprisoned him and the “conspiracy” was cut short.²⁷⁵

Alliances of this kind to increase profits or raise prices were universally met by a determined resistance on the part of the public.²⁷⁶ But the “poor commons” went far beyond a policy of mere self-defence. They aimed in fact at nothing less than putting the crafts altogether under the yoke of the community, at seizing the whole organization of trade which had been built

²⁷³ Kingdon’s Grocers’ Company, i., xvii., xviii.; Schanz, i. 651.

²⁷⁴ Norwich Town Close Evidences (Brit. Museum.), 16.

²⁷⁵ Riley’s Memorials, 174-5. Many other examples might be given. A later instance occurs when the London Corporation brought a complaint against the society of hoastmen in 1603 about the raising of the price of coals in London and the scanty supply, so that “without great difficulty the city cannot be provided sufficiently of sea-coals for the poor.” The fraternity of hoastmen make a statement of their reasons concerning the prices of sea-coals to the Privy Council in answer to the complaint of the Mayor and Aldermen. (Newcastle Guilds, 44.)

²⁷⁶ The chief objection of the public to the “unreasonable ordinances” by which the crafts closed their corporations was the “common damage to the people,” probably as tending to raise prices. (P. 102, n. 2.) The Coventry Leet opposed the crafts in this matter.

up and binding it over to perpetual service. Nothing could have been more distasteful to the guilds. In the twelfth century, while municipal government was in its very infancy, they had already aimed at complete independence and a real autonomy; and certain crafts did in fact succeed in making a special bargain with the King over the heads of the local magistrates. By charters bought at Westminster fraternities were made dependent for their existence on the royal will alone; and were granted rights of supervision and jurisdiction over their workmen without any reference to the borough;²⁷⁷ and since in these early charters the only definite provision was that all the men of the trade in that particular district should be enrolled in the guild, the freedom of the craft as a whole remained for the moment unquestioned even if the freedom of the individual was limited. An independence so complete however was bitterly resented by town governments. In London for example the weavers lived in a quarter by themselves into which the city officers never entered. They had their own courts and special privileges, and raised their taxes through their own officers. Under the protection of the King's writ they successfully defied the town authorities, and when in the time of Henry the Third the citizens seemed likely to overpower them by force they laid up their charter of rights

²⁷⁷ These grants were all of early date, in the twelfth century. Ashley, *Woollen Industry*, 15-17; Madox, 26, 191, etc., 212, etc., 283-4. The Nottingham weavers paid a rent of 40s. for their guild to the King from the time of Henry the Second. For this they raised a contribution from each loom, and obtained a grant that those who paid might work in the outskirts of the town. (Nott. Rec. iii. 27, 58, ii. 36.)

in the Exchequer as a perpetual record of their privileges. The jealousy excited in municipal bodies by an alien society settled in their midst, where the town writs did not run, is not surprising. Every interest of the city was threatened – the monopoly of the sale of cloth claimed by the burgesses, the authority of the town magistrates, the orderly system of administration which the kings were building up, and the interests of the whole body of consumers. A natural apprehension of any danger to the unity of the borough was shown not only in London, but in Winchester, Oxford, Marlborough, Beverley,²⁷⁸ and possibly in other towns; the weavers were shut out of the franchise and all its privileges, hampered in their trade by all sorts of oppressive regulations, forbidden to buy their tools, or possess any wealth, or sell their goods save to freemen of the city, while the status of villeins and aliens in the city courts was allotted to them. But mere repression left the real evil untouched; and by 1300 the city authorities in London had found a more radical cure. The Mayor had gained the right to preside in the weavers' court if he chose, and to nominate the wardens of the guild;²⁷⁹ and no sooner was all danger from an independent rule thus averted than the weavers were granted power to buy and sell “like other free citizens.”²⁸⁰

²⁷⁸ Riley's Lib. Cus. 130 etc.

²⁷⁹ Ibid. 121, 123. The survival of the weavers' court may be seen in 1321. In certain cases where the bureller was fined by the Mayor, the weaver was punished by the bailiffs of his own guild. (Ibid. 422-3.)

²⁸⁰ Riley's Lib. Cus. 423.

From this time all independent trade jurisdictions in the towns came to an end.²⁸¹ No more charters such as that of the weavers were sold by the crown;²⁸² and the crafts were presently forced to conciliate the local powers according to their measure of art or cunning – to beg from the municipal government a formal recognition for their association with such limited liberties as the town officers could be induced to give; to secure a more or less precarious existence by the payment of fines to the

²⁸¹ In 1327 Edward the Third granted a charter to the girdlers of London, which took in all the girdlers of the kingdom, ordered them under the same rules, and set them under the Mayors of whatever city they might be in. (Riley's Mem. 154-5).

²⁸² Some charters were given by Edward the Fourth and later Kings to companies of Tailors, Merchants, and so on, which gave them an existence independent of the town, and power to make their own ordinances. (See p. 173.) No list has been made out of these companies, and the subject needs investigation. From the cases which I have met with I think it may probably turn out that such charters were generally given to companies with a foreign trade, and given for reasons referring to that trade. The second charter of the Merchant Tailors in 1390 allowed them to make ordinances among themselves and of their own authority. (Clode, 3.) This charter seems to have freed them from the Mayor, but if so they were again put under his control in 1436. (Ibid. 5, see pp. 189-191, 193.) This was followed by a violent attempt in 1442 to have a Mayor of their own company, which failed and caused much anger. It is evident from the charter of Henry the Seventh, in 1502, which confirmed their independence, that they dealt in "all and every kinds of merchandises" "in all quarters and kingdoms of the world." (Ibid. 7, 195.) By this they were again given full power to make ordinances for themselves without interference, so long as these were not contrary to the laws of the kingdom nor to the prejudice of the Mayor; and the Mayor was wholly deprived of the power of search among their subjects – a most important measure, since the master and wardens "had a great number of householders with their servants to rule and govern." (Ibid. 197-200.)

town treasury;²⁸³ or to wrap round them a solemn conventional disguise, and conceal wholly or in part the fact of their union for trade purposes by sheltering themselves under the form of a religious association, and seeking independence “under a feigned colour of sanctity”²⁸⁴ as men wholly moved by a zealous care for

²⁸³ Though guilds were forbidden in Norwich they existed, doubtless by the payment of annual fines. In the case of the tanners the complaint in 1287 against them was clearly that in case of disputes they “made plaint” to their own aldermen and not to the bailiffs. (Hudson’s *Leet Jurisdiction in Norwich* (Selden Soc.) p. 13.) The cobblers had apparently an important guild from the money paid; the saddlers, tanners, and fullers had also guilds in 1292. (Ibid. 39, 42, 43.) The King reserved the power of creating guilds, and it was possibly to prevent his exercising it that towns like Norwich and Coventry obtained by charter the right to have no guilds. Such a privilege freed them from the fear of fraternities independent of the municipality, while it left them free to recognise informally associations whose recurring fines were really the tribute paid for existence.

²⁸⁴ Some of those so-called religious, but really trading guilds, have been identified. It is clear that the guild of S. Benedict at Lincoln was a society of traders or merchants, who traded on loans from the common fund, paying back half of the increase they made on it. (English Guilds, 174.) Among other instances see the Guild of S. John Baptist at Hull (Lambert’s *Guild Life*, 112, etc. 118, 232, 233); Corpus Christi (ibid. 124); Holy Trinity (ibid. 126.) A very curious and interesting account of the formal founding of the Pepperers’ Company as the Fraternity of S. Anthony in the Monastery of Bury, 1345, is given in *Kingdon’s Grocers’ Company*, i., xvii. Compare the records given on 8-15. It had become the Grocers’ Company by 1373. The Drapers’ Guild in Shrewsbury was originally the Guild of the Trinity. (Hibbert’s *Inf. and Dev. of Eng. Guilds*, 32.) For other instances see Chapter V. The custom was so common in the fourteenth and fifteenth centuries that it is highly probable that under any stress of difficulty it would have been resorted to in earlier days. The artizans must have been fully aware of the fact disclosed to us by the two forms of summonses for guild returns issued in 1388, one for the religious and one for the trading guilds – the fact that the two forms of association were regarded in a different way by the government. Some

the souls of their dead comrades but taking no thought for the bodily welfare of living brethren.

But by whatever means the fraternities hoped to compass liberty, it was in vain that they sought to elude the heavy hand of the municipal government. Trade associations were laid hold of by the boroughs, brought under the discipline and authority of the public magistrates, and forced to take their due part in the developement of the municipal organisation.²⁸⁵ Towns which obtained a grant to have “all reasonable guilds” took care to maintain a reasonable authority, and craft fraternities were only given leave to exist on the express plea that they were “consonant with reason and redounding to the public honour and to the advantage of the common weal”;²⁸⁶ while privileges were meted out to them on the distinct understanding of the gain which was to spring from these to the whole commonalty. By a dexterous move on the part of the town governors the officers of the guild were transformed into the officers of the community, and the machinery of the guild became the means by which the public sought to provide for a full and cheap supply of the necessaries of life, and protected itself from overcharges and false measures and bad wares, from uproar and disorder, from drunken workmen, from the flying sparks of the smith’s forge, or the noise of his hammer at night. In London for example there was a constant

guilds are avowedly of a double character. (English Guilds, 126-128, 179-185.)

²⁸⁵ See note A at end of chapter.

²⁸⁶ Riley’s Mem. 627; see also 118, 120-1, 153-4.

succession of customers complaining at the Mayor's Court of the bad bargains they had made in buying cloth, so that the fullers found themselves excessively "hard worked" in appearing at the Guildhall to examine the cloths of discontented buyers, and begged that every one might buy at his own risk.²⁸⁷

The masterly manœuvre executed by the town magistrates is revealed in the self-denying ordinances passed by the later guilds. Crafts "petition," as we are gravely told, to have masters and ordinances, and these being granted the new rules turn out to be simply regulations to supply wares to the people of a fixed quality and price.²⁸⁸ We can scarcely believe that the farriers should of their own free will have devised the rule that if any one of them, through negligence or any excess of pride which hindered his asking advice of the craft, failed in curing a horse of sickness, "then he shall be accused thereof before the Mayor and Aldermen and be punished at their discretion, in the way of making restitution for such horse to the person to whom the same belongs."²⁸⁹ Nor is it likely that masons and carpenters should have volunteered to take oath before Mayor and Aldermen that they would do their duty in their trade;²⁹⁰ or that the masons

²⁸⁷ Riley's Mem. 341.

²⁸⁸ In the second half of the fourteenth century the London guild ordinances are in the main simply rules against bad or deceitful wares. See the chandlers, curriers and pelterers, cappers, potters, &c. Riley's Mem. 118, 358; Lib. Cus. 94, 101; goldsmiths, Schanz, i. 613-4.

²⁸⁹ Mem. Lond. 293.

²⁹⁰ Lib. Cus. 100.

should themselves propose that if a mason failed to fulfil his contract certain men of the trade who acted as his securities should be bound to finish his task.²⁹¹ Even the universal rule against night work was never among the London guilds (save in the single instance of the hat-makers)²⁹² made in the interest of the working-man; but on the contrary was dictated by the sagacious observation of the buyers that “sight is not so profitable by night, or so certain, as by day —*to the profit, that is, of the community;*”²⁹³ and if spurriers “who compass how to practise deception in their work desire to work by night rather than by day”²⁹⁴ the reason given for interfering with them was that they wandered about all day idle, and “then when they have become drunk and frantic they take to their work to the annoyance of the sick and all their neighbourhood ... and then they blow up their fires so vigorously that their forges begin all at once to blaze ... and all the neighbours are much in dread of the sparks which so vigorously issue forth in all directions from the mouths of the chimneys in their forges.”²⁹⁵ Sunday closing itself was ordered as a matter of public convenience, because apprentices “could not be trusted to carry on work in the absence of their masters at

²⁹¹ Mem. Lond. 280-2.

²⁹² Riley’s *Liber Custumarum*, 101. See the case of the weavers *infra* p. 160, where the craft tried to shorten hours and the town forbade it.

²⁹³ Ordinances of Pewterers. Riley’s Mem. 243. See also glovers and hatters, &c., 239, 246.

²⁹⁴ *Ibid.* 226.

²⁹⁵ Riley’s Mem. 226-7.

church.”²⁹⁶

In thus bringing the crafts into subjection the towns were greatly strengthened by the sympathy of the State, which was the more inclined to make common cause with them from a growing apprehension of guilds of artificers and other labourers which in troubled times might prove centres of disturbance throughout the country. By a series of statutes the ancient powers of crafts were carefully pruned, and new authority grafted on to the town governments. “Congregations and confederacies” were jealously watched and forbidden.²⁹⁷ The guilds were ordered to have their charters registered, and their rules and bye-laws approved by the chief magistrates of the town. They were forbidden to make ordinances to the damage of the King or the people. Sometimes jurisdiction over their own members was taken from them; and the right of search for any articles that “be not pure lawful and able chaffers,” or even the duty of seeing that the workers were duly paid their wages in ready money, was handed over to the town officers.²⁹⁸

²⁹⁶ Ibid. 218.

²⁹⁷ Annual congregations made by the masons were forbidden by statute of Richard II., continued by later Kings (3 Henry VI., cap. i.). The anxiety of the government was quickened by the number of tilers who took part in the Peasants’ Revolt. (Stubbs, ii. 496.) Cf. *The Common Weal* (ed. Miss Lamond), 88-9.

²⁹⁸ Statutes of the Realm, 3 Edward IV. cap. 4; *ibid.* 4 Edward IV. cap. 1. A law of 1410 withdrew from the worsted-weavers and merchants of Norwich the supervision of the cloth trade that had been granted to them in 1348 (Ashley, *Woollen Industry*, 54-5); and handed over to the mayor, sheriffs, and commonalty of Norwich, the right of measuring and sealing all worsteds made in Norwich or Norfolk. (Blomefield, iii. 125.)

Thus it came about that by the triple alliance of the officials at Westminster with the governing class of the town and the general body of consumers, all alike bent on organizing industry in their several interests, the primitive free associations of workers were gradually forced into the singular position of deferential servants of the community. Within its own little realm each guild might use a narrow independence or a petty tyranny, but in its public aspect it could assert few pretensions.²⁹⁹ No craft fraternity could be formed without the leave of the municipality, and every Warden took his oath of office before the Mayor, at whose bidding and subject to whose approval he had been elected.³⁰⁰ The rules made by any trade for its government had no force till they had been approved by the Mayor and Corporation, enrolled

A later law enacted that “the worsted shearers in Norwich shall make no ordinance but such as the Mayor and Alderman shall think necessary.” (Stat. 1494, cap. xi.) In the fifteenth century the Privy Council took away from the Bakers’ and Tailors’ Crafts in London the right of search in their trades which had been granted to their Wardens, and restored it to the Mayor, and ordered the crafts to obey the Mayor after the old usages, customs, and laws of London. 1442. Proceedings Privy Council, v. 196; Seligman, *Med. Guilds*, 82; Schanz, i. 617.

²⁹⁹ The mayor and aldermen of London had full jurisdiction over all the various trades quite early in the fourteenth century. Two master-masons were reconciled before the mayor of London in 1298. (*Mem. Lond.* 38.) For early part of the fourteenth century see *ibid.* 90, 118, 120, 153-4, 216, 156, 178, 245-6.

³⁰⁰ In “the ordinances of the Hull Guilds from 1490 to 1723 there is no authorization by any but the mayor of the town.” (*Lambert’s Guild Life*, 188.) For municipal authority over the Shrewsbury Guilds see Hibbert, 40, 85-6. For Norwich, Blomefield, iii. 130.

by them on the city records, and sealed with the common seal.³⁰¹ And since they reserved the right of making any addition to these ordinances which they might deem necessary,³⁰² the town magistrates could interfere whenever they chose in the interests of order. Not only did they bear rule over the seller in the market, but they followed the craftsman to his little workroom and ordered every smallest detail of his trade, material, wages, apprentices, cost, the fit of a coat and the quality of a shoe, according to the laws that “reserved all time to the Mayor and to the Council of the town power to correct, to punish, amerce, and redress, as well the masters and all other persons of the said crafts, each after their deserving and trespass, as the case asketh.”³⁰³

³⁰¹ A law of 1413 ordered the registration of charters and approval of ordinances and bye-laws – a law which was repeated by the Statute of Henry VI. to prevent the masters of guilds and fraternities making ordinances to the damage of the King or the people, when it was again decreed that all their rules should be certified and registered by Justices of the Peace or by the chief magistrates of cities or towns. 15 Henry VI., cap. 6. See also 19 Henry VII., cap. 7.

³⁰² English Guilds, 283-286.

³⁰³ Ricart, 78. The examples are too numerous to give. But see the ordinances drawn up in 1448 for the Tailors’ Guild of Lynn by the Mayor and the Council. It was ordered that no new tailor should set up in business unless he was considered “sufficient in conning” not only by the two head men of his craft, but also by the mayor. Every tailor admitted to the guild had to pay a fine as entrance fee to the Mayor and another to the community, as well as his payment to the Guild; and paid a yearly fee to the town for any sewers and apprentices whom he employed. Quarrels between shapers and sewers were to be settled by the Mayor and the head men of the craft. If a tailor sent home an ill-fitting garment the buyer might bring his complaint to the Mayor’s Court, and

claim amends before the Mayor and the head men of the craft on condition of paying a fine of 3s. 4d. if he did not prove his case. (Hist. MSS. Com. xi. 3, 165-6.)

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