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Medieval merchants and money

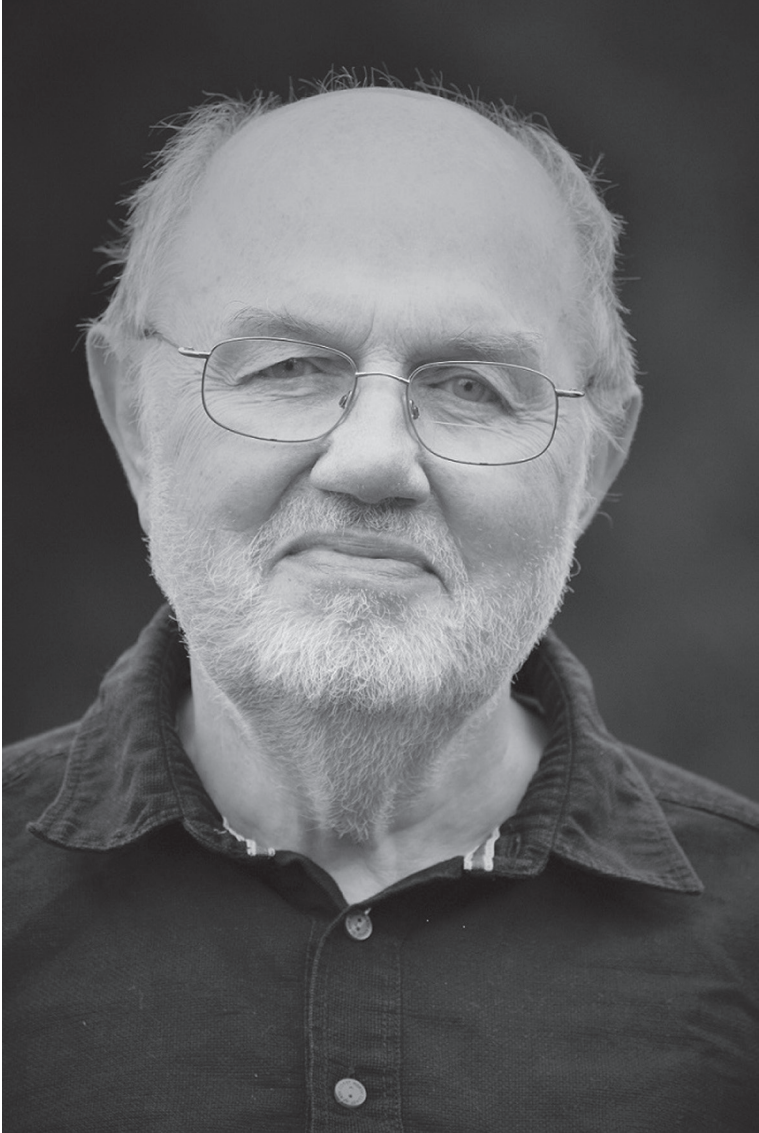
Essays in honour of James L. Bolton

Edited by Martin Allen and Matthew Davies



INSTITUTE
OF HISTORICAL
RESEARCH

University of London
School of Advanced Study



Professor James L. Bolton

(Photo: Tom Bolton, 2015)

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Preface

The essays in this volume were originally delivered as papers at a conference held in honour of Professor J. L. Bolton at the Institute of Historical Research, 7–8 November 2013. More than 100 historians crammed into a conference room in Senate House for two days of enjoyably wide-ranging discussion about the lives and work of medieval merchants, and the role of money and credit in the English economy. The themes of the conference, and of this volume, reflect some of the important fields to which Jim Bolton has contributed throughout his career as a medieval historian, from his initial work on alien merchants to his recent magisterial book on *Money in the Medieval English Economy* (2012), a work that covers more than five centuries and draws on a wealth of archival research as well as the fruits of discussion with fellow scholars over many years.

Jim was born and brought up in east London, and is one of seven members of his family who have either attended, or worked at, what is now Queen Mary University of London (QMUL). His own connection was to come later, however, for Jim's university education took place at Oxford, where he obtained his BA in 1961 and later completed a BLitt on 'Alien merchants in the reign of Henry VI, 1422–61'. In the meantime, he remained in Oxford to work initially on the Victoria County History of Oxfordshire, and then as an archivist at the Oxfordshire County Record Office. His first publication, on the barbers' guild of Oxford, came in 1963. He joined Queen Mary in 1965, and has been there ever since as a lecturer, senior lecturer, and now (since his official retirement in 1994) professorial research fellow. During his time at QMUL Jim became a long-standing convenor of the IHR's late medieval seminar: many former research students in London and elsewhere gave their first papers to this seminar and have cause to thank Jim for his helpful but probing questions, and his valuable advice on sources and approaches. His association with the IHR has also included valuable and much appreciated service on the advisory committee of the Centre for Metropolitan History, and he has served on innumerable project advisory boards at universities in the UK and elsewhere.

As professorial research fellow, and largely freed from the demands of teaching and administration, Jim was able to renew his interests in a number of research topics. His calendar of the alien subsidy rolls for London (1998) saw him return to one of the subjects that has always interested him, through a detailed study of migration and the characteristics of the alien population of the capital in the fifteenth century. This work has since been

built on by the ‘England’s immigrants 1330–1550’ project at York, among whose results has been to affirm Jim’s view of the uniqueness of London as a melting pot for migrants and the potential for further, deeper study. His interest in the history of London has been another long-standing theme, often pursued through the study of aliens, merchants and money, but crucially connecting these to wider political events – such as in his much-cited 1986 *London Journal* article on London and the crown in the late 1450s, or in his valuable commentary on the background to the alien subsidies. His interests in aliens, money and credit dovetailed naturally into a major project funded initially by the ESRC from 2001 on the fifteenth-century ledgers of the Borromei Bank in London and Bruges. Jim and his project researcher, Francesco Guidi-Bruscoli, formed a very successful team, which resulted in a raft of publications and conference papers as well as the development of a complex online database, created from scratch by a software company to allow historians to mine the wonderfully rich material found in the ledgers. As well as somewhat accidentally propelling him to the foreground of what we now call the digital humanities, the project addressed important questions about international flows of credit and the roles of banking families such as the Borromei in facilitating long-distance trade in the later middle ages.

At the heart of most of Jim’s work has been an interest in the history of money and the wider economy. Many current and former students will be familiar with his first major book, *The Medieval English Economy*, first published in 1980, which remains essential as a grounding in the characteristics and key debates relating to the economy between the twelfth and sixteenth centuries – pulling together and assessing the abundant historical and historiographical evidence concerning urban ‘decline’, manorial prosperity, the impact of the Black Death of 1348/9 and subsequent outbreaks of plague, rural industrial development, and agricultural production. Many of these themes were pursued subsequently by Jim in other essays and papers, listed in the bibliography at the end of this volume. Perhaps more importantly, though, Jim became interested in the intertwined topics of the money supply and credit, leading to some of his most significant interventions in a field that – since Postan – has been no stranger to fierce debate. As well as exploring the significance of money supply compared to other variables (such as population growth and urbanization) in promoting economic growth in the period before 1348, much of his work has focussed on the period after the Black Death, and particularly on the extent to which England suffered from a mid fifteenth-century recession caused in part/whole by a lack of bullion. For Jim, a key concern has been to emphasize the significant role that credit and credit instruments (and crucially their

Preface

negotiability) played in keeping the wheels of the economy turning. This largely (in his view) negated the effects of the two main periods of bullion shortage from c.1370–1420 and c.1440–80 which continue to be emphasized by the so-called ‘monetarist’ historians. These debates remain very much alive, and Jim’s contribution to them has been pivotal, connecting as it does with other enduring questions about urban prosperity/decline, wage labour, and the role of royal governments in managing economic affairs. The publication of *Money in the Medieval English Economy* drew together many of these strands in a book described by one reviewer (himself one of the ‘monetarists’) as ‘one of the most important books published in English medieval economic history during the past two decades’.¹

The essays in this volume are a small cross-section of the research in progress that, to one degree or another, connects with Jim’s work and shows its diversity and influence. The contributors include former students, collaborators and long-standing academic colleagues and friends. The editors would like to express their gratitude to them, first of all for their participation in the original conference, for agreeing to contribute to this volume, and for their responsiveness to suggestions from reviewers. They are also grateful to the IHR for agreeing to publish this volume in its conference series: a fitting way to celebrate Jim’s contribution to the life of the Institute as well as the wider world of economic history.

Martin Allen
Matthew Davies
July 2015

¹ J. H. Munro, review of J. L. Bolton, *Money in the Medieval English Economy 973–1489* (Manchester, 2012), EH.net <http://eh.net/book_reviews/money-in-the-medieval-english-economy-973-1489/> [accessed 30 June 2015].

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Medieval merchants and money

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List of contributors

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BL	British Library
<i>CCR</i>	<i>Calendar of Close Rolls</i>
<i>CFR</i>	<i>Calendar of Fine Rolls</i>
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
GL	Guildhall Library
LMA	London Metropolitan Archives
<i>ODNB</i>	<i>Oxford Dictionary of National Biography</i> (Oxford, 2004; online edn., 2008)
TNA: PRO	The National Archives: Public Record Office

I. London merchants: companies,
identities and culture

I. Negotiating merchant identities: the Stockfishmongers and London's companies merging and dividing, c.1450–1550

Justin Colson

London's guilds and companies were all named after particular economic activities or commodities, and it has long been assumed that company identity and occupational identity were tightly bound during the medieval period. Yet not only did the link between company and commodity become more complex over the centuries, but identities were renegotiated when companies repeatedly merged and divided, or when new companies were established. This chapter examines the relationship between Londoners' economic activity and their company identity in the key period of economic transition that spanned the mid fifteenth to mid sixteenth centuries. Rather than attempting to enumerate the trading activities of the company members themselves, their attachment to their occupational identity is evaluated by looking at episodes when guilds split, as well as when they merged, to examine how identities were re-forged. I will focus primarily on a case study of the Stockfishmongers' Company, but the Bakers and the Surgeons offer further examples, and the implications regarding late medieval tradesmen's preference for identities framed by their occupational identity stretch far wider.

Most companies' members were active in their eponymous trade until at least the fourteenth century, but during the early modern period the relationship between occupation and identity became more distant, especially in the case of mercantile companies.¹ When London merchants could trade in whatever goods they liked, or in any case made the bulk of their profits from the trade in wool as Staplers, or in cloth as Merchant Adventurers, what did it actually mean to be a member of one mercantile company, rather than another? Did late medieval Londoners take their company identity seriously as a reflection of their occupation, or had company affiliation already become primarily symbolic and political by the mid sixteenth century?

¹ P. Gauci, *Emporium of the World: the Merchants of London, 1660–1800* (2007), pp. 24–5, 32–3.

Company and occupation

The question of guild identity and the practice of trade has never been as simple as the names of London's companies imply. While there is a long-standing assumption that guilds and companies exercised strong control over their craft or area of trade during the medieval period, it has also been accepted that the vast majority of successful London merchants traded in goods other than those associated with their company. Eileen Power argued that while London merchants retained a prevailing interest in the occupation associated with their guild during the fifteenth century, medieval merchants were fundamentally opportunists and engaged in whatever trade was profitable.² Despite a short-lived attempt to enforce 'one man one trade' by statute in September 1363, the custom of medieval London held that, in principle, wholesale trade was open to all citizens, and thus in mercantile trade, more so than in retail or manufacturing, company affiliation might have been little more than a formality.³ The medieval conception of occupation, and its relationship with the London companies was therefore problematic. The late fifteenth-century haberdasher Richard Arnold wrote in response to a writ calling him to London that he was 'att Lymster [Leominster] to bye wulles and other fellis for his ocupacion'.⁴ Despite his company identity as a haberdasher, he explicitly described trading cloth as his 'occupation'. He was also extensively involved in importing wine from Gascony and oil from Iberia, which were traditionally the domain of vintners and grocers, respectively. Therefore individuals' practice of trade and their own conception of their occupation might not even align, regardless of their company identity.

While the link between guild nomenclature and economic activity in London's mercantile companies had long been complex, it was largely severed by the seventeenth century. In one respect the companies were challenged by the growth of the suburbs, where their writ did not automatically run, but they also faced a more fundamental challenge from the changing interests of their members, such as Arnold, whose horizons were far wider than their company's privileges. In the 1570s more candle sellers existed outside of the Wax Chandlers' Company than within it, and in 1553–8 seventy-five non-members of the Vintners' Company held

² *Studies in English Trade in the Fifteenth Century*, ed. E. Power and M. M. Postan (1933), pp. 265–84.

³ *Parliament Rolls of Medieval England*, ed. C. Given-Wilson and others <<http://www.british-history.ac.uk/no-series/parliament-rolls-medieval/october-1363>> [accessed 11 May 2015]; *Calendar of Letter-Books of the City of London: G*, ed. R. R. Sharpe (1905), p. 203.

⁴ R. Arnold, *In This Booke Is Conteyned the Names of Ye Baylyfs Custos Mairs and Sherefs of the Cite of London* (Antwerp, 1503), STC 782, fo. 46v.

licences to sell wine.⁵ This divergence between the trade-based identities of the companies and their members' actual trade was a particular concern for the Mercers' Company, which in the 1560s sought to allow translation more easily both into, and from, their company to encourage men to be members of the guild most relevant to their actual trade.⁶ However, the companies' loss of control over their respective trades prior to the seventeenth century should not be overstated. It was not until 1614 that companies ceased to be able to compel citizens to translate to the one relevant to the trade they practised, while even in the mid eighteenth century high proportions of many members of the smaller non-mercantile guilds were still practising their eponymous vocations, such as 206 of 255 barbers who were members of the Barbers' Company in 1756.⁷

Within the context of changing relationships between company membership and economic activity, there were two opposing trends in the organization of London's companies. In the early years of the sixteenth century there was a distinct trend for companies to merge and consolidate in order to further their political ambitions, yet Unwin also observed that during the later sixteenth and seventeenth centuries there was a proliferation of new specialist craft guilds, which appeared in response to industrial growth and the diversification of manufacturing.⁸ There were therefore chronologically overlapping, but contradictory, trends towards both specialization and consolidation. John Oldland outlined two scenarios that encouraged companies to merge: 'either two companies of reasonably similar size and complementary artisan pursuits wanted to become more powerful in order to pursue their economic interests more effectively with the civic and national governments', which he ascribed to the mergers of the Shearmen and Fullers; the Fishmongers and Stockfishmongers; the Horners and the Bottlemakers; and the Painters and the Stainers. Alternatively, 'a weak and impoverished artisan craft attached itself to a far wealthier company that frequently purchased and sold its products, illustrated by the Haberdashers' acquisition of their supplier companies, the Hatters and the Cappers'.⁹ These explanations emphasize the political aspects of company membership and, I argue, devalue the importance of the actual occupations

⁵ I. W. Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge, 1991), p. 115.

⁶ A. F. Sutton, *The Mercery of London: Trades, Goods and People 1130–1578* (Aldershot, 2005), p. 451.

⁷ J. R. Kellert, 'The breakdown of gild and corporation control over the handicraft and retail trade in London', *Economic History Review*, x (1958), 384, 390.

⁸ G. Unwin, *The Guilds and Companies of London* (4th edn., 1966), pp. 243–5.

⁹ J. Oldland, 'The London fullers and shearmen, and their merger to become the Clothworkers' Company', *Textile History*, xxxix (2008), 179.

practised by members of the guild and the impact of shared experience on their collective identity.

The opposing trends of consolidation and specialization cannot be separated chronologically, for even during the later fifteenth and early sixteenth centuries, when many mergers took place, other guilds actually split into independent specialist groups. Whereas the merger of companies emphasized the political aspects of guild life, when they split occupational identities were asserted and negotiated, revealing their importance to their members. But why would a previously united guild separate? And how would the change in guild structure affect, and reflect, the identities of individual guildsmen?

The divergence between guild identity and economic activity was often a consequence of the evolution of late medieval London's economy. Increasing specialization within many of the larger guilds, both in terms of product niches, and divergence between international merchants and retailers, posed challenges for the guilds in maintaining solidarity and identity when common interests diverged. Ian Archer described this divergence in terms of the separation of the livery, which was dominated by merchants, from the companies' rank and file of remaining retailers and craftsmen.¹⁰ Many companies, especially the larger mercantile ones such as the Grocers, succeeded in accommodating a wider diversity of experience, but in so doing became increasingly formalized and lacked personal contacts and common feeling between livery and the lower ranks.¹¹ This divergence of interests ran far deeper than the social aspects of traditional company life, and could result in different groups within a company having dramatically opposed interests. So, was identity and solidarity in urban guilds more influenced by bare-faced economic and political pragmatism, or by a deeper sense of social solidarity and brotherhood? Economists suppose that the survival of guilds through the pre-modern period testifies to their economic efficiency: if they did not solve commercial problems for their members, they would have ceased to exist.¹² Essentially if the issues that their members were concerned with focused upon political and civic power alone, companies would have consistently merged and consolidated, but if the actual distinctions between the activities of members of different guilds, and the regulation of those specific activities were more important, this would not always have been the case.

¹⁰ Archer, *The Pursuit of Stability*, pp. 111–24.

¹¹ J. P. Ward, *Metropolitan Communities: Trade Guilds, Identity, and Change in Early Modern London* (Stanford, Calif., 1997), pp. 74–80.

¹² S. Ogilvie, *Institutions and European Trade: Merchant Guilds, 1000–1800* (Cambridge, 2011), pp. 2–3, 41–93.

During the late fifteenth and early sixteenth century there were several examples of new companies having been founded by specialist groups splitting from larger ones, but also several cases of companies splitting relatively equally, and even repeatedly merging and splitting, such as London's Brownbakers and Whitebakers. The primary case study of this chapter is the Stockfishmongers' Company. The Stockfishmongers are often conflated with their close cousins, the Fishmongers, as their eponymous products were ostensibly similar. However, there were significant differences in their practice of trade in dried and fresh fish, respectively. Throughout the late medieval period the two companies alternately switched between combined and separate identities, splitting and each acquiring their own charters, and then merging again. Other examples of this pattern of alternating guild convergence and divergence in closely related trades include the Brownbakers and Whitebakers and the Barbers and Surgeons.

The Fishmongers of London

While the Fishmongers' Company has always stood as one of the City of London's Great Twelve mercantile companies, and counted many prestigious merchants and mayors amongst its ranks, its members were frequently active retail victuallers as well as wholesale merchants. This fact provoked the ire of radical mayor John of Northampton, who stripped the Fishmongers of their political and economic privileges for a short time in the late fourteenth century.¹³ Their wealth originally grew on the back of the many fast days of the medieval Catholic church, which created great demand for fish in forms that ranged from cheap preserved herring to expensive salmon and fresh sea fish. The Fishmongers had a de facto monopoly of fresh fish sales in the city through the combination of the citizen's exclusive right to retail, and their right to judge market disputes involving fish in their layhalmote or halimote court. However, wholesaling fish (or rather preserved fish, for obvious practical reasons) was open to all citizens under long-standing civic precedent. Members of other companies, especially the Tallow Chandlers and Salters, routinely sold salted herring, which was by far the most common fish, from their own stalls and shops, despite being prohibited from selling fresh fish or smoked (red) herring, which were confined to the customary markets.¹⁴

While the Fishmongers specialized in fresh sea fish alongside preserved herring, the most important form of preserved fish was explicitly outside

¹³ *Statutes of the Realm*, 1 Henry IV, cap. 17; *Parliament Rolls of Medieval England* <<http://www.british-history.ac.uk/no-series/parliament-rolls-medieval/october-1399-pt-1>> [accessed 11 May 2015].

¹⁴ LMA, COL/CC/01/01/02 fo. 106v; COL/CA/01/01/001, fo. 153.

their jurisdiction under the terms of their 1364 charter.¹⁵ Stockfish – cod split and air-dried in the cold of northern Norway or Iceland – had a shelf life of years, rather than the months of salted or smoked herring.¹⁶ This preservation allowed stockfish to be a wholesale commodity, requiring no special handling, although it did require special ‘watering’ to make it edible when sold to consumers.¹⁷ Stockfish, like herring, was sold both within and outside the main fish markets, but the Stockfishmongers’ jurisdiction over its inspection privileged them in this trade. So while there was a superficial similarity between the Fishmongers and Stockfishmongers, and in practice they often crossed over and dealt in each other’s goods, the differences between their core goods meant that they had different day-to-day practices, and different international trade connections.

Between the fourteenth and sixteenth centuries the relationship between the two companies repeatedly reversed, although the details of these vacillations are sparse for the earlier period. While the Fishmongers’ charter of 1364 explicitly excluded regulation of stockfish ‘as it pertains to the Stockfishmongers Company’, a new charter of 1399 outlined a Fishmongers’ Company with a federal structure, composed of ‘fellowships’ in Stockfishmonger Row along with Old Fish Street and Bridge Street. Stockfishmongers were included as members of the Fishmongers’ halimote court. The union of the two companies was made clear by the absence of the Stockfishmongers from the oft-cited list of ‘crafts exercised in London from of old, and still continuing’ in the Brewers’ Book of 1422.¹⁸ The Fishmongers’ charter of 1433 referred explicitly to the company as ‘one body corporate’, and prominent fishmongers and stockfishmongers quickly collaborated to acquire a joint hall for the whole company. Nonetheless the federal structure endured, and each street-based fellowship also retained its own hall for the majority of the century.

The lack of surviving fifteenth-century company records mean that little detail can be found on the corporate activities of the Fishmongers. The

¹⁵ J. Carpenter, *Liber Albus*, ed. and trans. H. T. Riley (1861), p. 323. Charter preserved in full in Fishmongers’ Hall, Ordinance Book, fo. 1., also in *CPR 1364–67*, p. 5 (10 July 1364).

¹⁶ W. R. Childs, ‘The internal and international fish trades of medieval England and Wales: control, conflict and international trade’, in *England’s Sea Fisheries: the Commercial Sea Fisheries of England and Wales since 1300*, ed. D. J. Starkey, N. Ashcroft and C. Reid (2000), p. 34.

¹⁷ In 1512 the City decreed that stockfish could only be sold once watered to prevent stocks being re-exported, implying that this was a customary part of selling it by retail rather than wholesale (City of London Court of Aldermen Repertories: LMA, COL/CA/01/01/002, fo. 136v). To eat stockfish, ‘it must be beaten with a wooden hammer for a full hour, then set it to soak in warm water for a full 12 hours or more, then cook and skim it very well like beef’ (E. Power, *The Goodman of Paris (Le Ménagier de Paris)* (Woodbridge, 2006), p. 179).

¹⁸ Unwin, *Gilds and Companies*, p. 167.

first suggestion that the Stockfishmongers sought independence emerged when they were granted arms in 1494 by Roger Machado, Richmond, and Clarenceux King of Arms.¹⁹ How this separation had occurred was undocumented, but the Stockfishmongers were certainly determined to forge an independent identity. During the autumn of 1508 the Stockfishmongers obtained letters patent confirming their independence from the Fishmongers, and granting them significant privileges of their own.²⁰ Like the Merchant Taylors, and the Haberdashers in their attempts to become the Merchant Haberdashers, the Stockfishmongers leapfrogged the authority of the City and obtained their charter directly from the king.²¹ The choice to seek authority outside the City betrays the relative weakness of the Stockfishmongers and the strong influence of the Fishmongers within the civic oligarchy. Nonetheless the City recognized the division, and in late December 1508 the court of aldermen noted that the Stockfishmongers 'lately hath dissended themselves from the Fishmongers by the King's Letters Patent' and allocated them a place in civic processions next to the Vintners.²²

The rights claimed by the Stockfishmongers made their combative attitude clear:

full power and authority to search and examine and to do and exercise the full and entire oversight and scrutiny upon and over Stockfish, Saltfish and all other fish [*stockfisshe, saltfisshe et omnibus aliis pistibus*] and also over all other things in any manner touching or appertaining to the said mystery of Stockfishmongers by whatsoever man and occupies the same mystery of Stockfishmongery.²³

This claim overrode the key traditional jurisdiction of the Fishmongers, who quickly petitioned the City's common council to force the Stockfishmongers to give up their claims.²⁴ The Stockfishmongers' reply complained that the Fishmongers' latest ordinances had made extensive changes to the process of the election of wardens, to their disadvantage. Henry VII had required all

¹⁹ This grant of arms is recorded in Thomas Benolt's 1530 visitation of the City companies, College of Arms 1st H7/60b (J. S. Bromley, *The Armorial Bearings of the Guilds of London: a Record of the Heraldry of the Surviving Companies, with Historical Notes* (1960), p. 91).

²⁰ The charter was recorded in the common council journals during Feb. 1508/9 but is dated internally as 20 Sept. 1508 (LMA, COL/CC/01/01/011, fos. 59–60).

²¹ M. Davies and A. Saunders, *The History of the Merchant Taylors' Company* (Leeds, 2004), pp. 76, 84–6; I. W. Archer, *The History of the Haberdashers' Company* (Chichester, 1991), pp. 16–17.

²² LMA, COL/CA/01/01/002, fo. 55. Oldland dated this to 1506 (Oldland, 'The London fullers and shearmen', n. 126).

²³ LMA, COL/CC/01/01/011, fo. 59v.

²⁴ LMA, COL/CC/01/01/11, fo. 118v.

fellowships to submit their ordinances for approval in 1504, but it was not until October 1508 that they produced a new set of ordinances to submit to the court, which were then approved the following February.²⁵ These new ordinances provided unprecedented detail on the regulation of London's fish trade, with numerous conditions specifying how and when salted fish could be shipped from Scarborough or fresh fish carried from the cinque port towns of Rye and Winchelsea, but tellingly nothing regarding stockfish. Nonetheless, the ordinances explicitly called for courts and assemblies to be held in only the new hall purchased on Thames Street, rather than the traditional 'iii sevrall essembles in diverse places', making it clear that the Stockfishmongers were intended to fall within their remit. In keeping with this desire to centralize, and in contrast to the earlier ordinances, all six wardens were to be elected together, rather than two from each of the three streets.

When questioned by the court of aldermen as to why they had refused to remain within the Fishmongers' Company, the Stockfishmongers claimed these changes were incompatible with their 'ancient liberties and usage out of time of mynde'. Although it might appear subtle, the change in voting procedure removed the guarantee that they, as a specialist group within the company, would be able to have their voice heard among the more prosperous and prestigious Fishmongers. Having just received their own charter, they also claimed that the Fishmongers' ordinances were 'contrary to their corporacion to theym by the King our soverign lord father and noble progenitor granted'.²⁶ Predictably the mayor, Roger Acheley, a draper, sided with the Fishmongers, and ordered members of the two companies to come together the next day in the Guildhall to 'elect and choose 6 wardens for both the seid fellowships according to the olde use'. The striking through of the closing clause emphasizes the continuing dispute over what the 'old use' might have been.²⁷ Nonetheless, a few days later the repertories of the court of aldermen noted that their variance had been settled, and the oath sworn by the new wardens, jointly elected by the Fishmongers and Stockfishmongers.²⁸

Despite the resistance to the union of the companies, an effort was clearly made to make it a success. In the autumn of 1512 the combined companies obtained a new grant of arms combining the lucies of the Stockfishmongers with the dolphin-like fish of the Fishmongers, which has

²⁵ *Parliament Rolls of Medieval England* <<http://www.british-history.ac.uk/no-series/parliament-rolls-medieval/january-1504>> [accessed 11 May 2015]; Fishmongers' Hall, Ordinance Book, fo. 8v.

²⁶ LMA, COL/CA/01/01/002, fo. 135.

²⁷ LMA, COL/CA/01/01/002, fo. 134v.

²⁸ LMA, COL/CA/01/01/002, fo. 136.

formed the basis of the Fishmongers' arms to the present day.²⁹ During 1513 a detailed document of concord was thrashed out between the two factions, illustrating both the desire to comply with the mayoral command to regularize their relationship, and the fact that there were real differences to resolve.³⁰ However, by 1522 the Fishmongers and Stockfishmongers were again separate and in conflict.³¹ Several years passed before a final indenture of concord united the companies in 1537, although the individual identity of stockfishmonger endured until the final recorded member, Hammond Amcottes of St. Martin Orgar, died in 1563.³²

Negotiating division and union

The concord negotiated between the companies offers a window into the stockfishmongers' attitudes to guild identity. The document of 'agreements, appointments and conclusions concluded between the right worshipful the wardens and commonality of the Fishmongers and the wardens and commonality of the Stockfishmongers' set out the conditions designed to placate the smaller group. Most striking is the prominence given to the occupationally defined identity of the individual within the new combined guild. There was clearly a strong sense of identity and loyalty to a traditional title, and considerable effort was devoted to ensure these loyalties were not forgotten.

Concessions granted to the Stockfishmongers included the right of existing freemen, and their existing apprentices, to keep their identity and to legally plead and be impleaded as a stockfishmonger for the remainder of their life. New apprentices would be enrolled as stockfishmongers until the next feast of the nativity, and when given the freedom could choose between the title of stockfishmonger or fishmonger. Subsequently, all new apprentices would become fishmongers. More practically, wardens of the combined Fishmongers' Company were to be bound by the grants, leases and indentures entered into by Stockfishmongers during their independence. Building upon earlier efforts to consolidate the company, courts would only be held at the new hall in the parish of St. Michael Crooked Lane which had been purchased for the company as a whole during the 1430s. All revenues and collections of plate were collected together from the separate halls at this new hall. The old Stockfishmongers' Hall was used as a house by Thomas Partridge, stockfishmonger, rent free for life.

²⁹ The original grant does not survive, but is recorded in College of Arms, Old Grants +, pp. 7–10; Bromley, *Armorial Bearings*, p. 91.

³⁰ The concord is discussed in detail below.

³¹ LMA, COL/CA/01/01/004, fos. 111v–112.

³² LMA, COL/CA/01/01/009, fos. 172v–175; GL MS 9171/15, fo. 110v.

The rebuilding of the parish church of St. Michael Crooked Lane, begun by William Brampton, stockfishmonger, was to be completed at the expense of the combined company within five years. In addition to maintaining all commemorative services of both companies, the Fishmongers would fund an obit, costing 6s 8d each year, for past stockfishmongers at the newly rebuilt church of St. Michael Crooked Lane. Perhaps most significantly, during the time when stockfishmongers could continue to use that identity (explicitly described as the 'continuance' of the name of the Stockfishmongers) there would always be two of them among the wardens of the company. This had been one of the key issues disputed by the Stockfishmongers in the court of aldermen, and highlights the question of power and influence at the heart of the issue.

These compromises can be interpreted in several ways. Most obviously, the disputed details reveal a preoccupation with power and influence within the company. The question of representation amongst the wardens was clearly a sticking point within the negotiations. Social and religious aspects of guild activity were also a clear concern. Yet the fact that an accommodation of the personal identity of existing stockfishmongers within the broader corporate body was both possible, and acceptable, highlights the negotiable intersection between collective and individual identity. However, rather than accepting a narrative based upon the question of identity in a purely social frame, we can look at circumstances surrounding these events to see an economic interpretation, suggesting a very rational, pragmatic negotiation of guild loyalties.

The conventional story of urban trade guilds having brought together their members in both economic and social contexts is well known. Unwin cited the Fishmongers as an example of the coincidence of collective legal rights, in the form of their layhalmote operating as court of the law merchant, and collective social activity centred upon the parish church of St. Magnus the Martyr.³³ In many companies, such as the Merchant Taylors, the close interrelationship between social, religious and commercial aspects of brotherhood helped to maintain the cohesion of the guild, as well as to provide the social pressure required to enforce the outcome of arbitration.³⁴ However the Fishmongers do not really fit this homogenous pattern, as contrary to Unwin's assertion that fraternities were at the heart of the crafts, they had no formally associated religious fraternity, and their observances were spread between many city churches until the concord of

³³ Unwin, *Gilds and Companies*, pp. 38–41, 95.

³⁴ M. Davies, 'Governors and the governed: the practice of power in the Merchant Taylors' Company in the fifteenth century', in *Guilds, Society and Economy in London 1450–1800*, ed. I. A. Gadd and P. Wallis (2002), pp. 72–4.

1513 concentrated their religious activities at St. Michael Crooked Lane.³⁵ While the Fishmongers lacked strong religious and social cohesion, they did possess a strong sense of occupational identity.

Practicalities of trade

The details of the day-to-day trade of Fishmongers and Stockfishmongers can give a much better understanding of their sociability and priorities than can their constitutional histories. In the case of the Fishmongers, retail of fresh fish was only allowed in three locations: Bridge Street in the east, Old Fish Street in the west, and the Stocks market, shared with butchers, which provided temporary stalls for both fishmongers and non-citizen fishermen. These fragmented locations translated into the 'federal' structure to the Fishmongers' Company, based upon market identity. The majority of members of the Fishmongers and Stockfishmongers stuck to one neighbourhood throughout their careers. Only the very richest individuals owned property or other interests outside of a tight cluster of parishes around their 'home' market.

Occupational identity and common-feeling within the company were built around day-to-day interaction, rather than political interest. The separation within fishmongers' identities was replicated in all aspects of day-to-day guild life. Wardens were traditionally elected independently by each street and even civic proclamations were explicitly addressed to 'the Masters of the Fishmongers of the one Street and the other'.³⁶ The division of the company ran so deep that most testators made bequests to the 'fellowship' of fishmongers in one street or the other, rather than the Fishmongers' Company as a whole. Thomas Dursle, for example, made a bequest of £5 to the 'Wardens of the Fishmongers of Bridge Street' in 1438, and in 1495 the widow Kateryn Clerke made a bequest of 40s to the Bridge Street fishmongers' 'common box'.³⁷ John Michell (d. 1441) and Stephen Forster (d. 1458) were exceptional in having donated equal amounts to the poor of the craft in each of the three streets.³⁸ The fishmongers of each street possessed their own halls, collections of plate and poor boxes, until the agreement of 1513 required everything to be centralized at the Thames Street hall 'for the good politique guyding and ordre of the same craft'.³⁹ In day-

³⁵ Unwin, *Gilds and Companies*, p. 52.

³⁶ LMA, COL/CC/01/01/01 fo. 51v; the vintners also had explicitly separate wardens for their eastern and western communities (LMA, COL/CC/01/10, fo. 39v).

³⁷ TNA: PRO, PROB 11/10, fo. 205.

³⁸ Michell left 10 marks to the poor of each street (TNA: PRO, PROB 11/3 Luffenam 29); Forster left £10 to each (PROB 11/4 Stockton 15).

³⁹ Fishmongers' Hall, Ordinances, fo. 26.

to-day life, loyalties operated among those with a direct daily relationship. Different branches of the Fishmongers' Company had little common feeling below the level of the leading wardens, so it comes as little surprise that the Stockfishmongers felt no great affinity for the wider company, with whom they shared an association only in the court which regulated their commodities.

Economic reasons for separation

More generally, the changing relationship between the Stockfishmongers and Fishmongers followed the waxing and waning of their economic fortunes, and the degree to which they were actually involved with their respective trades, rather than general international mercantile trade, where political influence might assume more importance than regulation of their particular specialism. When mercantile opportunities allowed fishmongers greater success outside their specialisms, they tended to become less concerned about the specifics of regulation of the trade in fish, and more concerned with the politics and diplomacy of international trade. However, the reversal of their fortunes encouraged them to re-examine their particular privileges and specialized organization more closely. During the fourteenth century many fishmongers were prominent members of the English wool staple and noted ship owners. In addition to having been active in the coastal trade, and in trade with the Low Countries, they were frequent traders at the Scanian herring fairs, where they exchanged heavy English cloth for preserved herring. But by the early fifteenth century, the fishmongers had been pushed out of the herring fairs by the Hanse, who had effectively established a monopoly in collusion with the Danish crown. During the fifteenth century cheaper herring from the North Sea supplanted Baltic Hanseatic trade, decreasing potential for specialists in fish to maintain a profitable reciprocal trade.⁴⁰ The mercantile aspirations of the fishmongers were also affected by the decline of wool exports, and specifically of the Staple, in which they had traditionally been prominent.

In an attempt to adjust to these changing patterns of trade in the mid fifteenth century, many members of the then-combined Fishmongers' and Stockfishmongers' companies sought to penetrate the Merchant Adventurers' Company and gain a foothold in the lucrative cloth export market. Their influence reached a peak with the appointment of William Overey, stockfishmonger, as governor of the company in 1456, but they were

⁴⁰ P. J. Dollinger, *The German Hansa*, trans. D. S. Ault and S. H. Steinberg (1970), pp. 220, 239–41.

soon squeezed out when the mercers exerted their dominance.⁴¹ Overey had been instrumental in demands to make renewal of the Hanse's privileges in England dependent on reciprocal rights in the Baltic.⁴² London's merchants generally favoured the removal of Hanseatic privileges in England, but the fishmongers and east coast merchants were keener on reciprocal privileges for the English in the Baltic.⁴³ Overey attempted to use his influence to support the fishmongers' preoccupations in the Baltic market, and London stockfishmongers including John Motte and John Fenne were amongst the thirty-eight English merchants who claimed their goods were lost when a fleet of six ships from London, Lynn and Boston were seized at Helsingør in 1468 by the king of Denmark in collusion with merchants from Danzig.⁴⁴ Despite the efforts of the 1450s, the particular customs accounts reveal that fishmongers' involvement in the cloth trade declined rapidly. While fishmongers had been responsible for the export of 1,413 cloths, or 30.2 per cent of the total from London in October 1390 to September 1391, in the equivalent period between 1502 and 1503, the figure was only 565, or just 2.6 per cent of the total.⁴⁵

While fishmongers had been able to combine their Baltic fish trade with coastal shipping and domestic supplies, the stockfishmongers' specialism made them almost exclusively dependent upon the Hanse during the fourteenth century. Stockfish traditionally originated only in Norway, where the Bergenfäher of Lübeck operated an almost colonial economy, and who therefore dominated imports into England.⁴⁶ The Bergenfährer concentrated their English trade on the port of Boston during the 1450s and into the 1490s. During 1459–60 Hanseatic trade accounted for 90 per cent of alien imports into Boston, and two thirds of that was stockfish.⁴⁷ The later fifteenth century saw a general reconfiguration of English trade routes, with traditional 'point-to-point' routes and direct exports of cloth and wool from east coast ports supplanted by the concentration of trade through major trading hubs, such as Middleburg, Hamburg, and

⁴¹ Sutton, *The Mercery of London*, pp. 259–62.

⁴² Sutton, *The Mercery of London*, p. 280.

⁴³ J. D. Fudge, *Cargoes, Embargoes, and Emissaries: the Commercial and Political Interaction of England and the German Hanse, 1450–1510* (Toronto, 1995), p. 66.

⁴⁴ Fudge, *Cargoes, Embargoes, and Emissaries*, p. 62; *Hansisches Urkundenbuch*, ed. W. Stein (11 vols., Halle, Leipzig, Munich, 1876–1916), ix, 331–3, 364–8.

⁴⁵ E. Quinton and J. Oldland, 'London merchants' cloth exports, 1350–1500', *Medieval Clothing and Textiles*, vii (2011), 111–39.

⁴⁶ Dollinger, *The German Hansa*, pp. 241–3.

⁴⁷ T. H. Lloyd, *England and the German Hanse, 1157–1611: a Study of their Trade and Commercial Diplomacy* (Cambridge, 1991), p. 275; Fudge, *Cargoes, Embargoes, and Emissaries*, pp. 32, 106.

London.⁴⁸ In response to their exclusion from Bergen, English merchants began to routinely frequent Iceland to trade for stockfish, as well as to fish, from the mid fifteenth century. However the Danish-Norwegian crown, which also controlled Iceland, was less than welcoming and treaties of 1465 and 1490 prohibited trade without special licence from the king of Norway.⁴⁹ The later treaty was negotiated by merchants from Lynn, and it was men from the east coast ports and Bristol, rather than London, who dominated English stockfish imports as late as the seventeenth century.⁵⁰

While the trade in Icelandic stockfish that was in English hands was concentrated in the east coast ports of Boston and Lynn, the Hanse continued to import it into London in large quantities. Hanseatic merchants originally shipped their stockfish directly, such as when Jacob of Hamburg complained in 1476 that £600 worth of his fish was destroyed by bandits en route from Iceland to London, but after 1489 the Hanse tended to ship their goods via Hamburg rather than direct to England.⁵¹ These changes to the stockfishmongers' specialist trade networks had profound implications for their wider mercantile aspirations, undermining their ability to engage in any meaningful reciprocal trade, leaving them to purchase and retail imports brought to the city by other merchants, or else to encroach on the specialisms of the fishmongers.

When both fishmongers and stockfishmongers had been able to look beyond their core merchandise, and to involve themselves in the Merchant Adventurers during the mid fifteenth century, it is logical that they would have been less jealous of their particular privileges. While they were successful in international trade, concern for their place in the civic hierarchy and political influence would have been of greater concern. However, the changing patterns of London's trade increasingly denied them the chance to combine their specialism with profitable exports, and at roughly the same time their corporate attention returned to focus on their particular specialisms once again. This is seen in the voluminous and highly specific 1509 ordinances of the Fishmongers, as well as the Stockfishmongers' attempt to secure their own charter and ordinances.

⁴⁸ P. Nightingale, 'The growth of London in the medieval English economy', in *Progress and Problems in Medieval England*, ed. R. H. Britnell and J. Hatcher (Cambridge, 1996), pp. 103–4; W. R. Childs, 'East Anglia's trade in the North Sea world', in *East Anglia and its North Sea World in the Middle Ages*, ed. D. Bates and R. Liddiard (Woodbridge, 2013), pp. 194–9.

⁴⁹ *CPR 1485–94*, p. 321; Fudge, *Cargoes, Embargoes, and Emissaries*, p. 25; *Report of the Deputy Keeper of the Public Records* (1885), xlv, ap. 2, p. 5; A. Agnarsdóttir, 'Iceland's "English century" and East Anglia's North Sea world', in Bates and Liddiard, *East Anglia and its North Sea World*, pp. 204–16.

⁵⁰ Fudge, *Cargoes, Embargoes, and Emissaries*, pp. 91–6.

⁵¹ Fudge, *Cargoes, Embargoes, and Emissaries*, pp. 91, 119.

Whitebakers and Brownbakers

The tendency of London guilds to merge when their concerns were political, and to later separate and squabble over their core specialisms when questions of internal regulation became more important, can be seen in cases including artisan and professional companies, as well as merchants.

London's Bakers, like the Fishmongers, are held to have been among the oldest corporate bodies, and had the right to hold a court since the earliest period of London's records.⁵² Like the Fishmongers, their trade in staple victuals was tightly regulated by both national and civic statute. Yet throughout most of the medieval period there existed not a single Bakers' Company, but separate companies of Brownbakers and Whitebakers. Records are sparse, but a committee of 1645 reported that the Brownbakers had been a distinct mystery from 1321, and that the relationship between the two was defined in 1440 when the 'old rule between white and brown bakers' was written, specifying that brownbakers could not use sieved flour, but could make their ovens available to the public to bake their own foods. The brownbakers had originally been in the majority, but by the late fifteenth century they had lost prominence to the whitebakers, probably due to rising wealth and changing tastes. The whitebakers were clearly dominant when in 1486 they obtained a charter of incorporation and effectively forced the brownbakers to merge into their company. In a compromise that echoed the Fishmongers' arrangements, under the new constitution two wardens were elected from each group, thereby preserving their distinct identities within the larger corporate body.⁵³

Rather than international mercantile diplomacy, the challenge faced by the bakers came from bakers operating outside the City's jurisdiction, but this still required a concerted political effort to restore their traditional privilege. Despite Londoners' traditional retail privileges, country bakers were allowed to sell bread in street markets in the mornings between nine and twelve. Not subject to the same regulation, and able to operate larger bakeries, the out-of-town bakers could easily undercut the London bakers. This undermined the wealth and influence of the London bakers throughout the fifteenth century. It was not until 1494, a few years after the two bakers' companies had merged, that they gained the right to regulate the suburban bakers.⁵⁴ By 1544 times were better for citizen bakers and many owned more efficient larger bakeries in the suburbs, and the City authorized the Brownbakers' renewed independence. The close relationship

⁵² S. L. Thrupp, *A Short History of the Worshipful Company of Bakers of London* (Croydon, 1933), p. 40.

⁵³ Thrupp, *A Short History*, pp. 120–2; *CPR 1485–94*, pp. 116, 126.

⁵⁴ *CPR 1485–94*, pp. 56–8.

between union of companies and the search for political influence is clear, as is the desire to return to an occupationally defined organization when there was no compelling reason to pool resources.

Surgeons

Turning back to the early fifteenth century, and to a very different group, the surgeons and physicians of the city provide another example of groups having merged in an attempt to secure the political influence to alter regulation of their professions, but ultimately reverting to occupationally defined groups. The Barbers of London gained rights to control who could practise both surgery and barbering as early as 1376, but in 1390 the mayor appointed four surgeons who were not members of the company to regulate that craft, a decision which created near two centuries of conflicting claims of jurisdiction.⁵⁵ Meanwhile physicians remained entirely unregulated.

The lack of regulation of physic, and the tolerance of barbers performing surgery, motivated a group of specialist surgeons and physicians to unite in an attempt to secure regulation that would recognize their training and qualifications. During the 1420s a group of prominent surgeons with court connections joined with a similar group of physicians to propose a 'commonality' to regulate all medical practice in the city. Initially they petitioned parliament, but later found the mayor's authority more effective. They complained that 'many unconnyng an[d] unapproved in the forsayd science practiseth ... so that in this Roialme is ev[er]y man, be he nev[er] so lewed, takyng upon hym practyse, y suffred to use hit, to grete harme and slaughtre of many men'; by contrast, in other realms, where only 'connyng men and approved sufficantly y lerned in art, filosofy and fysyk', were allowed to practise, they optimistically claimed that 'no man perysh by uncunning'.⁵⁶ The commonality operated collegiately on an Italian-inspired model, with separate faculties for the surgeons and the physicians, but a single governor and a common meeting place. The surgeons behind the 'Faculty of Surgery' were from very different background to the barber-surgeons of the Barbers' Company, and all possessed battlefield experience. They sought to differentiate themselves from the surgeons of the Barbers' Company by ensuring the high standard of training required for their members, and high fees and entry fines, emphasizing their equality with the physicians.⁵⁷

⁵⁵ R. T. Beck, *The Cutting Edge: Early History of the Surgeons of London* (1974), pp. 46, 52.

⁵⁶ *Rotuli Parliamentorum ut et petitiones, et placita in Parlamento tempore Edwardi R.I. -[ad finem Henrici R.VII.]* (6 vols, 1767-77), iv. 158.

⁵⁷ J. Colson and R. Ralley, 'Medical practice, urban politics and patronage: the London "commonalty" of physicians and surgeons of the 1420s', *English Historical Review*, cxxx (2015), 1102-1131.

The commonality's claim of jurisdiction over all medical practice in the city provoked the ire of the Barbers' Company when they judged a case of alleged malpractice by a barber with a jury containing no barbers.⁵⁸ In November 1424, responding to petitions from the Barbers, the mayor restored the right of the 'Masters of the faculty of Surgery in the Mistery of the Barbers' to regulate the surgeons.⁵⁹ This judgement made clear the dominance of the established civic influence of the Barbers, and the surgeons and physicians made no further attempt to collaborate. The unincorporated faculty or Fellowship of Surgeons continued to exist, and created ordinances in 1435, and again in 1497 when they were ratified by the City authorities, but the Barbers still retained jurisdiction over medical malpractice.⁶⁰ It was only in 1540 that the Barber Surgeons and Surgeons were united, apparently in response to the challenge created by the jurisdictional claims of the Royal College of Physicians, which was incorporated in 1518. While the specific concerns of medical regulation were very different from those of merchants, the tension between willingness of those with different but related specialisms to merge and collaborate in order to secure political leverage, and the more general desire to maintain occupationally defined collective identities causing them to separate, is once again clear.

Conclusion

Examining guild identity through instances of company unions and separations during the late medieval period highlights the continued preference for organization based upon shared day-to-day economic experience. Guilds and companies were happy to merge when doing so was expedient and could secure them political leverage, but their preferred state appears to have always been as an occupationally defined group. The fishmongers of each street did not appear to feel much camaraderie with those of other streets, let alone with stockfishmongers, who dealt in ostensibly similar but qualitatively different goods and different networks. What brought companies together and favoured merger, when their members had differing experience, was common political or economic interest. External pressure and declining trade could bring guilds together, while prosperity and growth tended to allow them to separate and better reflect their occupational identities.

The mergers of the guilds associated with the textile industries described by Oldland were in many ways exceptional because of the importance of

⁵⁸ M. T. Walton, 'The advisory jury and malpractice in 15th-century London: the case of William Forest', *Journal of the History of Medicine and Allied Sciences*, xl (1985), 478–82.

⁵⁹ Beck, *The Cutting Edge*, p. 70.

⁶⁰ Beck, *The Cutting Edge*, p. 124.

political leverage in an industry which was very sensitive to the political and diplomatic situation for its exports. The merger of the Fullers and the Shearmen to become Clothworkers, or the union of the Hatters into the Haberdashers, were not representative of a universal desire in the late medieval period to use guilds as vehicles of power at the expense of relevance to their members' economic activities. International merchants, for whom political influence might have been a paramount concern, were still a minority in most companies in the late medieval period. Therefore the tension between the desire to maximize the political potential of guilds and their continued relevance as occupationally defined groups was another aspect of the growing tension and disparity between the elite livery, and more numerous rank and file within many companies. Over time other organizations such as the Merchant Adventurers and later joint stock companies came to provide the preferred vehicles of mercantile political influence. Therefore it was in the larger, more prestigious companies, whose members were more likely to use their membership of these other organizations, that company identities first became ossified and disconnected from actual occupational practice. Mercantile companies adapted by becoming informal centres of association and formalizing their structures and procedures to accommodate a wider diversity of experience.⁶¹ The fact that the Fishmongers sustained their merger of 1536 is evidence that they had succeeded in accommodating the diversity of their members' economic interests.

The tendency of late medieval companies to separate when they could afford to do so, and the establishment of new specialist craft companies into the seventeenth century, also emphasizes a continued desire for identity to reflect occupation. Both the establishment of new companies, and the renegotiation of identities when companies split and merged, highlight the centrality of day-to-day shared experience in the construction of occupational and company identity in the city. The political potential of companies was nonetheless always recognized and could override the predilection for occupationally defined organization. Many merchants eventually came to identify simply as 'merchant', as was certainly the case in the seventeenth century, and it was in companies where merchants outnumbered retailers or craftsmen that informal association and political advancement became the dominant elements in company identity.

⁶¹ P. Gauci, 'Informality and influence: the overseas merchant and the livery companies, 1660–1720', in Gadd and Wallis, *Guilds, Society and Economy*, pp. 127–9.

2. 'Wrytyng, making and engrocyng': clerks, guilds and identity in late medieval London*

Matthew Davies

In 1484 the accounts of the London Carpenters included expenses for a 'table for the brethern and sistyrs', a list of deceased members of the guild whose souls were to be remembered in prayers and masses. It seems from the accounts that it initially took the form of a painted and gilded wooden board, but a year later a stationer was paid to copy it on to parchment, and this was also decorated. Several other craft guilds in this period also produced memorial tables of this kind, including the Pinners and the Pewterers, as well as greater guilds such as the Tailors, who in 1464–5 paid 10s 1d to compose, write, illuminate and paint a table of indulgences and remissions granted '*per diversos papas archiepiscopos, episcopos ac alios prelates*'. This was hung in a chapel they maintained in St. Paul's Cathedral.¹ These were meant to impress and instruct, and it is worth remembering that when Robert Fabyan was researching the dates and names of some of the earliest British kings, he used a certain 'Table hangynge vpon the wall of y^e North syde of y^e Ile in y^e back of y^e Quere of seynt Poules Church of London'.² Tables and lists took on an added significance on ceremonial and religious occasions when the names would be read out, and the souls of the dead would be prayed for, fostering the ever-important dialogue between corporate identity and religious belief which underpinned the existence and activities of medieval guilds. Yet as well as their status as what one might call 'cultural capital' (whether for private or public purposes) we ought to remember that lists of this kind also had a practical function in a corporate context, reflecting the proliferation of written records within lay organizations, such as urban guilds and fraternities, in the later middle ages.

* I am grateful to delegates at the 'Medieval merchants and money' conference, and especially to Caroline Barron, for helpful suggestions on this chapter. An earlier version was presented at the North American Conference on British Studies in Montreal in Nov. 2012.

¹ LMA, CLC/L/CC/D/002/MS04326/001, fo. 41 (Carpenters); CLC/L/PE/D/002/MS07086/001, fo. 90 (Pewterers); CLC/L/MD/D/003/MS34048/002, fo. 261 (Merchant Tailors); *The Pinners' and Wiresellers' Book 1462–1511*, ed. B. E. Megson (London Record Society, xlv, 2009), pp. 11, 15, 23.

² *The New Chronicles of England and France by Robert Fabyan*, ed. H. Ellis (1811), p. 40.

In this essay I want to look at the development of record-keeping by the London craft and merchant guilds (or ‘livery companies’) and in doing so try and touch on this intersection between records as tools of governance and as expressions of identity, tradition and community. This was a formative period for the London guilds as institutions, and in that sense they afford a remarkable opportunity to look at record-keeping and record-creation as they evolved over time. In this context, the range of practices across the guilds are as striking as the commonalities between them. In particular, the essay will discuss the people who served the companies as clerks and scribes, who combined linguistic, scribal, quasi-legal and literary skills. As Jim Bolton has shown, scribes played an important part in oiling the wheels of commerce in late medieval London, notably by drawing up bonds and other financial instruments which underpinned the use of credit – vital (Bolton suggests) during periods of bullion shortage. Many of the same individuals turned their hands to other scribal tasks, working for the London craft and merchant guilds, facilitating the administration of their growing estates and memberships, promoting the causes of London’s merchants and craftsmen to the City and to parliament, but also enabling the accumulation of layers of written records and corporate memory.

As Derek Keene, Elspeth Veale and others have reminded us, diversity was a key characteristic of the early years of the city livery companies.³ Some emerged from parish fraternities and retained important religious functions; others developed as part of local occupational clusters; some received royal recognition as early as the twelfth century; some struggled to develop institutional structures until the sixteenth. Their often obscure origins means that we cannot easily talk about a foundation date or foundation documents, even (or sometimes especially) in the case of royal charters which frequently just confirmed the existence of a corporate body of some kind. A rare internal reference to the alleged origins of a craft guild occurs in the forty-two London returns to the royal inquiry into guilds and fraternities of 1388–9: the Pouchmakers stated that their brotherhood was ‘begonne in the year of our lord 1356’.⁴ As well as detailing their religious and charitable functions – rarely referring to economic activities – these guild returns provide occasional clues about early written records. In their response to

³ See for example D. Keene, ‘English urban guilds, c.900–1300’, in *Guilds and Association in Europe, 900–1900*, ed. I. A. Gadd and P. Wallis (2006), pp. 3–26; E. Veale, ‘The “Great Twelve”: mystery and fraternity in thirteenth-century London’, *Historical Research*, lxiv (1991), 237–63.

⁴ Transcribed in C. M. Barron and L. Wright, ‘The London Middle English guild certificates of 1388–9’, *Nottingham Medieval Studies*, xxxix (1995), 140–1.

the royal inquiry the Carpenters produced an ordinance book that was said to have been begun on 1 September 1333, clearly a momentous date even if it cannot perhaps be called a foundation date.⁵ This book no longer survives, but the mention of ordinances is useful, because it reminds us of some of the key functions of the crafts and their guilds in London – and hence that there were certain kinds of recording practices which were common to most guilds. In particular, it was important to maintain records of apprenticeship and the Freedom: from the end of the thirteenth century the guilds were responsible, as delegates of the mayor, for regulating access to the Freedom – which the overwhelming majority obtained by apprenticeship.⁶ The ‘audit trail’, so to speak, included apprenticeship indentures (many of which contained requirements that apprentices should learn to read and write), and enrolments of apprenticeship – these now mostly survive as entries in financial accounts, although some guilds were starting to keep separate registers by the fifteenth century. Apprenticeship was just one aspect of the wider task of economic and moral regulation, also delegated to them by the City government. Most of the early ordinances of London’s craft guilds in fact survive in the City’s archives – mostly ordinances for the lesser crafts, who obeyed the mayor’s demand to inspect them. Ordinance books, such as the one the Carpenters claimed to have started in 1333, were created by the guilds to preserve these regulations themselves, and were updated to respond to economic problems, such as threats from other crafts or from aliens, or to reflect institutional changes: the Tailors had a ‘Grete Boke’ of ordinances which was added to regularly following meetings of the guild’s court, but only one quire of this remains, covering the years 1429–55.⁷ Ordinances in that sense were a combination of an ongoing historical record with an idealistic and normative description of how the craft and the guild ought to be governed.⁸ Like the royal charters which the guilds increasingly sought, ordinances were expressions of mercantile and craft identities, especially in the public versions submitted to the mayor, and could be contested as part of disputes over jurisdictions and privileges. As the identities and aspirations of the crafts became more and more invested in guilds as institutions, there was increasingly a need (as in 1388–9) to create and produce documentary evidence, and a premium was therefore placed on each guild’s ability to

⁵ Barron and Wright, ‘The London Middle English guild certificates’, p. 113.

⁶ M. Davies, ‘Crown, city and guild in late medieval London’, in *London and Beyond: Essays in Honour of Derek Keene*, ed. M. Davies and J. A. Galloway (2012), pp. 247–68.

⁷ LMA, CLC/L/MD/A/003/MS34003.

⁸ See M. Davies, ‘Governors and governed: the practice of power in the Merchant Taylors’ Company’, in *Guilds, Society and Economy in London 1450–1800*, ed. I. A. Gadd and P. Wallis (2002), pp. 67–83.

organize its affairs, to promote its role within the craft, and to communicate concerns to the City and beyond.

The expansion in record keeping among the guilds of London in the fourteenth and fifteenth centuries was also driven by their development as social, religious and political entities. Account books survive for most of the greater companies, and for many of the lesser ones, often with a huge amount of detailed expenditure and income – reflecting an expansion of their activities into many different areas. The guilds were not just responsible for apprenticeship and trade regulation, but for processions, feasts, chaplains, maintaining their newly acquired halls, as well as lobbying the City, crown and parliament for extensions of their privileges. The ability to hold property corporately was especially important, and was confirmed through so-called charters of incorporation: this boosted the fortunes of some guilds, particularly those with a wealthy membership who could make substantial bequests for chantries and other forms of *post obit* commemoration. By the Reformation, when such practices were declared ‘superstitious’, the London guilds were found by the chantry commissioners to be funding sixty-one chantry priests and 158 anniversaries at an annual cost of more than £1,000. These figures do not of course include the many other benefactions, such as gifts for almshouses, which did not attract the attention of the chantry commissioners, but which nonetheless added to the administrative burden.⁹ The guilds were increasingly seen by London’s merchants and craftsmen as reliable trustees for their property and their souls, paving the way for the remarkable expansion of their charitable activities in the sixteenth and seventeenth centuries.¹⁰ Even before the Reformation, the London guilds were rapidly developing into major landlords, with charitable interests which stretched far beyond London – as can be seen, for example, in the foundations of schools by Londoners in this period. Underpinning all this activity was a huge amount of administration, including writing documents, obtaining legal advice, communicating with potential donors, and maintaining valuable estates. Without the expertise of clerks and other officials, the guilds would have found it much more difficult to develop their charitable reputations and roles as foci for the charitable and religious aspirations of some of London’s leading citizens.

⁹ TNA: PRO, E 301/34, mm. 36–39d, printed in *London and Middlesex Chantry Certificate 1548*, ed. C. J. Kitching (London Record Society, xvi, 1980), pp. 81–95. This is probably an underestimate, as returns were not apparently completed for all the guilds.

¹⁰ See, for example, I. W. Archer, ‘The livery companies and charity in the sixteenth and seventeenth centuries’, in Gadd and Wallis, *Guilds, Society and Economy in London*, pp. 15–28. The charities of the Clothworkers’ Company are documented on the ‘People, property and charity’ website: <<http://www.clothworkersproperty.org>> [accessed 18 Feb. 2015].

The expansion of the business of the guilds also enhanced the role of the ‘courts of assistants’ which emerged in the fourteenth century as governing bodies. Normally comprising the leading liverymen and past masters, the matters considered by the courts were often quite diverse, including the regulation of apprenticeship, settlement of disputes, but also matters of wider policy and communication with the City, crown and parliament. Court records were kept by some guilds from quite early on: we are told in a seventeenth-century inventory that the Tailors had ‘Nyne books severally marked with these severall letters viz A, B, C, D, E, F, G, H and I ... the Booke A begynnyng in the xxviiiith yere of K. Edw. the First Anno Domini 1299 and the Booke I endyng the xxiiiith day of January 1574’. The earliest of these books are now lost, apart from court minutes from the start and end of two volumes, altogether providing coverage for the period 1486–93.¹¹ It is striking that the Tailors’ minute books were said to have begun in 1299, during a period which saw the start of some of the City’s own key record series such as the ‘Letter Books’. Indeed it is almost certain that guild record-creation was connected with key phases in the expansion of the City’s own bureaucracy and records, whether in the late thirteenth century, when the first town clerks took office, or, under John Carpenter, in the early fifteenth century. For the short period for which they survive, the Tailors’ minutes show that its court was meeting very regularly indeed: notes of more than 400 meetings survive for a period of six-and-a-half years, which works out at an average of just over one meeting a week. As we will see, court records provide some of the most vivid insights into the role played by scribes and records in the formation and expression of guild identity – not least because they were shaped as much by the personalities of those who wrote them as by the business they record.¹²

As mentioned, the status and wealth of the guilds and their members significantly affected institutional development, and hence record-keeping practices. A large or wealthy membership provided a solid financial basis for some guilds, through regular payments of quarterage or alms, one-off levies for projects, and a potential source of bequests of property and high-value goods such as plate, all of which had to be administered and accounted for. At this point we can look at two examples at either end of

¹¹ LMA, CLC/L/MD/G/256/MS34360, fo. 14; H. L. Hopkinson, *Report on the Ancient Records in the Possession of the Guild of Merchant Taylors of the Fraternity of St. John the Baptist in the City of London* (1915), pp. 99–101; and see *The Merchant Taylors’ Company of London: Court Minutes 1486–1493*, ed. M. Davies (Stamford, 2000), p. 7.

¹² Davies, *Court Minutes*, pp. 12–13. Not all of these meetings were ‘full’ court meetings, judging from the inclusion of attendance lists for only about 25% of the 405. Most were smaller meetings of the master and four wardens.

the social and financial spectrum. The London Pinners were recognized as a separate trade by the mid fourteenth century, when they submitted ordinances in 1356 to the mayor for approval. Yet they struggled to develop a strong institutional presence over the next hundred years, mainly because they were a small, specialist trade, which faced the threats of rising imports as well as incursions into their business from other trades in London. Temporary respite came in 1462 when their trade was among those meant to benefit from a new statute (which the Pinners called a ‘charter’) limiting imports of manufactured goods, including pins of various kinds.¹³ A new guild book was created, which survives in the British Library: thirteen skins of parchment were bought, and 12*d* was spent on a binding and two clasps for it. They also bought a chest, probably used to store the book as well as their meagre corporate funds.¹⁴ However, their existence remained precarious – and symptomatic of this was their lack of a hall. They rented a small tenement briefly from the Tailors in the 1440s, but by the 1460s were hiring out Girdlers’ Hall for their meetings. They later transferred to the Armourers’ Hall, but at one point in between the wardens had to meet in a tavern, the ‘Sign of the Rose’ in Old Jewry, to present the annual accounts. This rather itinerant existence was not uncommon, as we can see in the Brewers’ accounts, for example, in which several other crafts appear hiring their hall in the first half of the fifteenth century.¹⁵ It was a major problem in terms of looking after records – at one point the Pinners gave documents to the Cutlers to look after, which implies a good deal of trust on the former’s part given the frequent strictures on secrecy that appear in guild records. Eventually the Pinners did manage to rent a hall of their own, but a combination of hefty repairs and an expensive lawsuit meant that they could barely afford it. In 1497 the Pinners merged with the Wiremongers to form the Wiresellers, and eventually (it is not clear exactly when) the Wiresellers were absorbed by the Girdlers.¹⁶

At the other end of the economic scale, the Grocers – one of the leading mercantile crafts – were able to draw upon the wealth and influence of some of London’s most prominent merchants in furthering their corporate objectives through record-keeping. Their ‘Black Book’ was started in 1345 and updated thereafter with accounts and ordinances, but like other guilds, the business became more and more diverse as the guild acquired its hall, as well as a portfolio of property holdings. This caused an expansion of its record-keeping. At around the same time as the Pinners proudly started

¹³ Megson, *The Pinners’ and Wiresellers’ Book*, pp. xii–xxi.

¹⁴ Megson, *The Pinners’ and Wiresellers’ Book*, p. 6.

¹⁵ LMA, CLC/L/BF/A/021/MS0544, fos. 11v, 84.

¹⁶ Megson, *The Pinners’ and Wiresellers’ Book*, pp. 8, 11, 15, 30, 32.

their new book, we have a unique short series of inventories of the Grocers’ books and records, which they included at the end of the annual accounts in the 1460s. The information was recorded as part of the formal handing over of the guild’s assets from one set of wardens to the next, and although earlier inventories of the company’s goods exist in the accounts, these are the first to include detailed lists of books and manuscripts.¹⁷ The inventories tell us, for example, that each year’s accounts were written and stored in separate ‘quires of account’, only being bound together much later. Records parallel to these were known rather evocatively as ‘quires of remembrance’ – the minutes and ordinances of the craft produced at quarter days and other occasions. The term ‘remembrance’, as I have discussed elsewhere, was part of a vocabulary of record-keeping and guild culture which emphasized the role of the records as the written memory and heritage of the craft; each year the Grocers’ accounts began with the phrase ‘be it remembered that these are the accounts of x and y, wardens of the Grocers’.¹⁸ The inventories list other records, mainly in book rather than quire form – these included a ‘grete rede boke wt ii claspes coper and gilt which is begon to write in our tyme wt constutucions accompts and laste wills of divers men’.¹⁹ We know from the accounts that this had been assembled in 1455 using eight quires of paper bought at a cost of 2s.²⁰

Remarkably, all of the descriptions in the inventories can be matched to surviving books in the Grocers’ archive: the ‘Red Book’, for instance, has the fair accounts of the company, which summarized income and expenditure under headings, referring for the detail to the annual quires. The inventories, finally, list numerous chests and great boxes, some clearly meant for the books just mentioned, while some already contained copies of testaments, deeds and bills of various kinds. The person responsible for these inventories was the clerk, Henry Nicholl, who took office in 1460. As Caroline Barron notes in her contribution to this volume, Nicholl was the author of what she terms a ‘bureaucratic chronicle’ (Oxford, Bodleian Library, MS Rawlinson B 359), which combined some elements of a civic chronicle with an ongoing list of wardens of the Grocers and mayors of the City. In many ways, therefore, Nicholl’s ‘chronicle’ and his innovations within the guild’s accounts were both expressions of his interest in history

¹⁷ LMA, CLC/L/GH/D/001/MS11571/001, fos. 77v–78v (1463–5), 103v–104v (1465–6), 139 (1466–7), 164–5 (1467–8).

¹⁸ M. Davies, “Monuments of honor”: clerks, histories and heroes in the London livery companies’, in *The Fifteenth Century X. Parliament, Personalities and Power: Papers Presented to Linda S. Clark*, ed. H. Kleineke (Woodbridge, 2011), pp. 145–65, at p. 150.

¹⁹ LMA, CLC/L/GH/D/001/MS11571/001, fos. 77v–78v.

²⁰ ‘vij quars paper to make a reed book’ (LMA, CLC/L/GH/D/001/MS11571/001, fo. 43v).

and the ‘remembrances’ of his guild and the City. We know very little about Nicholl: he does not seem to have been a scrivener by training and it has been suggested that he was related to a senior member of the Grocers.²¹ He remained clerk for some years, being described as such in the will of the eminent grocer Sir John Crosby (d. 1475) who pardoned Nicholl 40s of a debt he owed the alderman.²² He was dead by 1483, when Sir William Taylour, another grocer alderman, made his will: in it he bequeathed to his ‘cosyn’ Robert Sturmyn several books, including ‘my newe boke of Engelish that I bought of the executours of Henry Nicoll’. We have no way of knowing what this book was, although of course it would be tempting to speculate that it was Nicholl’s ‘chronicle’.²³

Most of the London guilds lay somewhere between the extremes of the Pinner and the Grocer. It was unsurprising that the greater companies and their merchants led the way, and by the mid fifteenth century most were keeping several series of records dealing with their finances, memberships, court proceedings, ordinances, benefactors’ wills, properties, or perhaps more typically, combinations of these. Guild clerks were gradually increasing their use of English – the Brewers’ clerk William Porland famously switched his guild’s records to English in the early 1420s, while the Goldsmiths in 1417 had created a new register of deeds, with a prologue that was ‘wrtyn in englysshe to euery mannys undirstondyng’.²⁴ English was not new as a language of record, of course – many of the London guild returns of 1388–9 were written in the vernacular – but it was rarely used to the exclusion of French and Latin. Indeed, recent work has also sought to put the statements of the Goldsmiths and Brewers in a broader context, by emphasizing the persistence of French and Latin for official purposes such as proclamations, interspersed with English examples.²⁵ What is certainly the case is that language mixing and tri-lingualism were characteristics of

²¹ P. Nightingale, *A Medieval Mercantile Community: the Grocers’ Company and the Politics and Trade of London, 1000–1485* (1995), p. 520.

²² TNA: PRO, PROB 11/6/327. Crosby’s will is transcribed and printed in P. Norman and W. D. Carøe, *Crosby Place* (Survey of London Monograph, ix, 1908), pp. 69–84.

²³ TNA: PRO, PROB 11/7, fo. 81.

²⁴ C. Metcalfe, ‘William Porland, clerk to the craft and fraternity of Brewers of London, 1418–1440’, *Transactions of the London and Middlesex Archaeological Society*, lxiv (2014), 267–84; L. Jefferson, ‘The language and vocabulary of the fourteenth- and early fifteenth-century records of the Goldsmiths’ Company’, in *Multilingualism in Later Medieval Britain*, ed. D. A. Trotter (Cambridge, 2000), p. 177.

²⁵ Barron and Wright, ‘The London Middle English guild certificates’, pp. 108–45; D. Rowland, personal communication. These themes will be explored in D. Rowland, ‘The publication and reception of local and parliamentary legislation in England, 1422–c.1485’ (University of London PhD thesis, in progress).

the records of many of London’s guilds in the first half of the fifteenth century: the Tailors switched their account books from French to Latin at some point between 1445 and 1453 for their accounts, but kept their ordinances mostly in English, as did the Grocers from 1463. It seems likely that this was a major encouragement for the guilds to employ professional, skilled scribes to write and organize their records, and to deal with the linguistic diversity of communication with the City, the crown and their own members.²⁶ Porland, Nicholl and other proactive clerks clearly spent a good deal of time and effort ordering and updating the archives of their guilds: the Goldsmiths in 1418 sought to make good the loss or destruction of some of their property records by organizing them by tenement into chests and boxes, obtaining new copies of lost documents from Guildhall, and copying everything into a new 400-folio book.²⁷

What we have, then, is a period of rapid institutional development and a consequent proliferation of records to address their roles as economic regulators, religious fraternities, and as participants in political processes in the city and beyond. As the Grocers’ inventory suggests, books and quires had both a practical importance and a wider symbolic significance, representing the inheritance of the guild passed on from generation to generation. This idea was partly responsible for some of the new developments in record-keeping towards the end of the fifteenth century. In particular, there was a sort of ‘taking stock’ happening – literally, in the shape of inventories of books, plate and other fixtures and fixings, but also more figuratively in some of the ‘books of evidences’ or ‘guild books’ (as Malcolm Richardson calls them) which were being produced.²⁸ These were sometimes simply new iterations of their ordinances: the Ironmongers in 1487 paid 3s 8d for a ‘newe boke to wright in oure artis of oure actis of oure felischepe’. Most of the cost (3s) was for writing, with 4d for paper and 4d for a ‘parchemyn skynne for a coverynge’.²⁹ The timing is significant: although the City government had long asserted the right to approve guild ordinances, this had been formalized in a statute of 1437, and in the late 1480s the mayor and aldermen made a particular effort to get the ‘lesser’ guilds (i.e. not their own!) to conform. Some evidence books were becoming even more elaborate, and contained transcripts of charters, grants of arms, lists of members, and other material – often prefaced with religious content and imagery, as with the lavishly illuminated books produced by the Pewterers,

²⁶ M. Richardson, *Middle Class Writing in Late Medieval London* (2011), pp. 41–2.

²⁷ *Wardens’ Accounts and Court Minute Books of the Goldsmiths’ Mistery of London 1334–1446*, ed. L. Jefferson (Woodbridge, 2003), p. 383.

²⁸ Richardson, *Middle Class Writing*, pp. 81–2.

²⁹ LMA, CLC/L/IB/D/001/MS16988/001, fo. 56.

Skinner and Merchant Taylors.³⁰ Religious elements gave the books a sacral character – the Carpenters and Pinners were among a number of guilds which included liturgical calendars in their books.³¹ In 1501 the Drapers paid the impressive sum of £4 6s 8d to a certain ‘Wodecok for devising and making of our book of all our evidences etc’. This was Henry Wodecok, by then one of the most prominent members of the Scriveners’ Company, whose career is discussed below.³² External pressure was once again behind some of this activity in the early sixteenth century, not least following a statute of 1504 which required guilds to have their ordinances approved by the lord chancellor. Partly because of the likelihood of an external audience, these books were more than simply collections of rules and regulations: they amounted to a kind of history of the guild concerned, assemblages of material relating to origins, development and heritage. Some guilds produced these in-house using their clerks (although the illuminations were done by someone else), while others commissioned them from scribes and limners.³³

All of this activity brings us to the practicalities of writing these records. There is abundant information, for example, on the purchasing of paper and parchment (but particularly paper) by the guilds: the Grocers tended to buy between two and four quires of paper each year, at a typical cost in the late fifteenth century of 2d to 3d per quire.³⁴ The Tailors’ annual expenditure more than doubled over the course of the fifteenth century from 12d to 30d (so possibly up to ten quires of paper a year) in a period when paper prices were steadily declining.³⁵ We also know a lot about how books and quires were bound and kept, sometimes in chests, sometimes in so-called ‘coffins’, which allowed important records to be displayed. The Pewterers, after many years of lobbying, finally gained a royal charter of incorporation in 1473 which allowed them national rights of search: in addition to the

³⁰ LMA, CLC/L/MD/A/004/MS34004; CLC/L/PE/A/027/MS07114; CLC/L/SE/A/004A/MS31692.

³¹ LMA, CLC/L/CC/D/002/MS04326/001, fo. 5v; Megson, *The Pinners’ and Wiresellers’ Book*, p. 6.

³² Drapers’ Hall, London, wardens’ accounts 1475–1509, fo. 72.

³³ Davies, “Monuments of honor”, pp. 150–1.

³⁴ For example, LMA, CLC/L/GH/D/001/MS11571/001, fos. 7, 119v; MS11571/002, fo. 18v.

³⁵ LMA, CLC/L/MD/D/003/MS34048/001, 002, 003. For discussion of the price of paper and other commodities, see R. Edvinsson and J. Söderberg, ‘Prices and the growth of the European knowledge economy, 1200–2000’ (unpublished paper, 2009), esp. pp. 9–12, consulted at <<http://diva-portal.org/smash/get/diva2:384596/FULLTEXT01.pdf>> [accessed 11 Jan. 2015]. This draws on price/wage data for England available at <[http://gpih.ucdavis.edu/files/England_1209–1914_\(Clark\).xls](http://gpih.ucdavis.edu/files/England_1209–1914_(Clark).xls)> [accessed 11 Jan. 2015].

substantial costs of obtaining it, they laid out a further 4s on a ‘koffyn’ to put it in.³⁶ The Grocers’ inventories list several ‘coffyns’ containing deeds and other documents, as well as a ‘greate chest bound with iron with ij locks and ij keys and a bolt of iron’.³⁷ But it is the people involved who are of particular interest. By the later fourteenth century, if not before, many of the leading guilds were starting to draw on the expertise of professional scribes. Some of these have become better known in recent years because of the work of historians, and of literary scholars, who have brought new perspectives to bear on the administrative records of the London guilds and the City government itself. Thomas Usk, for example, was identified by Caroline Barron as the clerk employed by the Goldsmiths in the 1380s, and his career and connection with the guild has been further explored by Marion Turner.³⁸ Linne Mooney’s work on scribes and Middle English literature has suggested many possible connections between the worlds of literature and civic government – the most famous example being Adam Pinkhurst, who wrote the famous petition of the Mercers against Nicholas Brembre to the parliament of 1388, and was also Chaucer’s scribe.³⁹

By the early fifteenth century several guilds were employing their own salaried clerks. Some, like Pinkhurst and Usk, displayed literary connections and interests. As noted by Caroline Barron (*vide infra*), John Brynchele, the earliest known Tailors’ clerk, died in 1422 leaving a copy of *The Canterbury Tales* (the earliest recorded testamentary bequest of this), as well as Latin and English versions of Boethius. Brynchele in fact described himself in his will as a tailor, which implies that he had obtained the Freedom through this craft, rather than as a scrivener, even though his expertise took him in that direction. The same was the case with the Grocers’ first known salaried clerk, Thomas Hulverwood, who took office in 1448–50: he was described as ‘citizen and Grocer’ in a transaction of October 1457.⁴⁰ The general trend,

³⁶ LMA, CLC/L/PE/D/002/MS07086/001, fo. 48v. For the lobbying by the Pewterers and the other guilds, see M. Davies, ‘Lobbying parliament: the London livery companies in the fifteenth century’, *Parliamentary History*, xxiii (2004), 136–48.

³⁷ LMA, CLC/L/GH/D/001/MS11571/002, fos. 77v–78v.

³⁸ C. M. Barron, review of *Wardens’ Accounts and Court Minute Books of the Goldsmiths*, ed. Jefferson, in *Urban History*, xxxii (2005), 175; M. Turner, *Chaucerian Conflict: Languages of Antagonism in Late Fourteenth-Century London* (Oxford, 2007), pp. 104–14.

³⁹ L. Mooney, ‘Chaucer’s scribe’, *Speculum*, lxxxi (2006), 97–138; L. R. Mooney and E. Stubbs, *Scribes and the City: London Guildhall Clerks and the Dissemination of Middle English Literature, 1375–1425* (Woodbridge, 2013).

⁴⁰ Hulverwood had undertaken some scribal work for the Grocers the year before he received his first salary (*Facsimile of the First Volume of the MS. Archives of the Worshipful Company of Grocers of the City of London, AD 1345–1463*, ed. J. A. Kingdon (2 vols., 1883–6), ii. 296, 305–6; *CCR 1454–1461*, p. 251; Nightingale, *A Medieval Mercantile Community*, p. 466).

however, especially among the greater guilds was towards the employment of professional writers: men described variously as scrivener, 'writer of court hand', clerk, or, less frequently, as notary.⁴¹ In most cases they had been apprenticed as London Scriveners and were full members of that guild rather than of those they served as clerks. The guilds drew upon an ever increasing pool of such people in the city of London and Westminster, feeding the demand for scribal services, and particularly for credit, from merchants and skilled craftsmen. Bolton, for example, tracked the numbers of scriveners who appear in the City's fifteenth-century records, indicating an increase from fewer than ten individuals in the 1420s to forty-three in the 1440s, and broadly similar levels thereafter.⁴² It seems likely that the institutional development of the London guilds, discussed above, was a contributory factor here, not least because of the frequency with which many of these individuals crop up in guild records as suppliers of services or even as permanent clerks. Although they had some legal expertise, especially in relation to documents such as wills, deeds and bonds, they were usually differentiated from the many lawyers and attorneys who were hired by the guilds, even though many of them worked on the same causes, such as dealing with benefactors' executors or preparing bills for law suits. Many of these scriveners worked in the city in a variety of capacities as scribes, feoffees, arbiters and executors, acting for individual citizens, the City government, and institutions such as London Bridge, the city's 100-plus parishes, and of course the guilds.

Although guilds such as the Goldsmiths, Grocers and Tailors appointed permanent clerks from the end of the fourteenth century, most seem to have taken a more flexible approach initially. Partly this was a reflection of institutional development and hence the degree of complexity of their affairs, but also of their financial wherewithal. Some guilds seem to have continued to rely upon craftsmen-turned-scribes, especially those lower down the economic scale. The Cutlers, for example, employed one of their own members, Nicholas Asser. He leased one of the guild's tenements on London Bridge in the mid 1450s, and continued to enrol apprentices while serving as clerk.⁴³ The Carpenters seem to have been fairly typical of the 'lesser' guilds. Judging from the hands in their manuscript books, the fair accounts (like those of the Pinners) were generally written up by a

⁴¹ On these men and their roles, see especially N. Ramsay, 'Scriveners and notaries as legal intermediaries in later medieval England', in *Enterprise and Individuals in Fifteenth-Century England*, ed. J. I. Kermode (Gloucester, 1991), pp. 118–31.

⁴² J. L. Bolton, personal communication.

⁴³ C. Welch, *History of the Cutlers' Company of London and of the Minor Cutlery Crafts, with Biographical Notices of Early London Cutlers* (2 vols., 1916–23), i. 168, 322.

different person each year, who was paid six or eight pence to do so. In 1483 Thomas Clifford, a member of the Scriveners’ guild, took over the task, improving the consistency and coverage of the accounts, but he remained self-employed, taking on work for the Carpenters as and when he was needed, but also working for other guilds, including the Pewterers. The connection with Clifford was important, however, because in 1490 his own apprentice, John Forster, became the first full-time clerk of the Carpenters, with a salary of 33s 4d a year.⁴⁴ This was a fairly modest salary, reflecting the status of the guild in terms of size and wealth – both of which had an impact on the amount of regular business. The Tailors’ clerk, by contrast, was normally paid a salary of £5 per annum, while the Grocers paid Nicholl £4 a year. Even these were not large salaries, compared with the 10 marks (£6 13s 4d) or so that chantry priests working for the companies were often paid – which perhaps suggests that some continued to undertake other tasks privately, such as drafting legal documents or even copying works of literature. As well as a salary, however, these company clerks often received grants of livery gowns or hoods, as Peter Goldisburgh of the Goldsmiths did in 1412–13.⁴⁵ This did not mean that they were ‘liverymen’ of course – they were very much regarded as employees. Other ‘perks’ could be significant, not least in reinforcing the ties between clerk and guild: in recognition of his service, Henry Nicholl was granted 8 marks (£5 6s 8d) a year for life at a court meeting of the Grocers in 1470, as well as a house ‘whether sick or whole’. In return he was to continue to attend on the wardens, keep the books of the fellowship and the secret counsels, gather the rents, ‘attend to the lyselode’, and ‘kepe the garden’.⁴⁶

Surprisingly, perhaps, given their status, the Mercers also seem to have preferred to pay people on a more short-term basis for much of the fifteenth century. However, because of their wealth they were able to secure some of the leading scribes in the city, who took an active role in furthering the interests of the guild and its merchants. A well-known example is John Stodeley, who took the Scriveners’ Company oath in April 1433 and served as warden in 1446.⁴⁷ He subsequently

⁴⁴ LMA, CLC/L/CC/D/002/MS04326/001, fos. 40, 57v; CLC/L/PE/D/002/MS07086/001, fo. 67v. Clifford subscribed to the Scriveners’ oath in April 1462, and took on a number of apprentices, including Forster (*Scriveners’ Company Common Paper 1357–1628 with a Continuation to 1678*, ed. F. W. Steer (London Record Society, iv, 1968), pp. 12, 22).

⁴⁵ Jefferson, *Wardens’ Accounts and Court Minute Books of the Goldsmiths*, p. 355.

⁴⁶ LMA, CLC/L/GH/D/001/11592, fo. 47. The Grocers were inordinately proud of their garden, and the clerks and others were regularly paid for tasks such as weeding and pruning the roses.

⁴⁷ Steer, *Scriveners’ Company Common Paper 1357–1628*, p. 68.

became connected with the duke of Norfolk, and was returned as the MP for the duke's borough of Reigate in 1450. As a Norfolk associate he was the author, in 1454, of the famous newsletter to the duke in which he conveyed information 'espied and gadred' by him and other informants concerning political events in London.⁴⁸ Throughout this period, however, he provided scribal and legal services for the Mercers. He was first paid for writing up the accounts in 1439–40, the same year that 6*d* was paid out for 'i rolle ove les nouns des gentz del mercerie'. As his career flourished, Stodely's usefulness for the guild seems to have increased, and in 1450–1 he was paid 2*s* for writing a supplication to the lord chancellor concerning the seizure of imports from Flanders. The mid 1450s were especially busy for the Mercers, as they sought to convey their views to the City, crown and parliament on a range of topics, from the proposed grant of a subsidy, to the protection of the seas and the threat to their interests posed by the alleged favouring of Lombard merchants. Stodely was involved once again, charged with obtaining a copy of the act of parliament dealing with the subsidy, and providing copies of articles from the duchess of Burgundy to the king, one in Latin and the other in English. He also supplied notes on a document sent to the king concerning Lord Bonville, who, despite being keeper of the seas had attacked convoy ships from the Low Countries, resulting in reprisals against the goods of Staple merchants. Meanwhile, several other London scribes were employed to take on other copying and writing tasks. Concerns about the encroachment of aliens on their business continued to occupy the Mercers, and in 1460–1 Stodeley and two other scribes drew up bills concerning the Lombards and 'Easterlings'.⁴⁹ Despite his particular connection to the Mercers, Stodeley was not a salaried clerk, so was able to take on work for other guilds: in 1454, for example, he was paid the large sum of 40*s* for copying the testament of the grocer Ralph Say (d. 1447), and for drawing up several tripartite indentures.⁵⁰ One of Stodeley's predecessors was Robert Bale, better known to scholars today as a chronicler, who lived around the corner from Mercers' Hall in

⁴⁸ *The Paston Letters*, ed. J. L. Gairdner (6 vols., 1904), ii. 295–9.

⁴⁹ *The Medieval Account Books of the Mercers of London*, ed. L. Jefferson (2 vols., Farnham, 2009), i. 540; ii. 698, 786, 912; A. F. Sutton, *The Mercery of London: Trade, Goods and People, 1130–1578* (Aldershot, 2005), pp. 255–6.

⁵⁰ LMA, CLC/L/GH/D/001/MS11571/001, fo. 6v. Say left property in the parish of St. Martin Pomary to the Grocers for a chantry (D. J. Keene and V. Harding, 'St. Martin Pomary 95/6–7', in *Historical Gazetteer of London Before the Great Fire Cheapside; Parishes of All Hallows Honey Lane, St. Martin Pomary, St. Mary Le Bow, St. Mary Colechurch and St. Pancras Soper Lane* (1987), pp. 150–9, <<http://www.british-history.ac.uk/no-series/london-gazetteer-pre-fire/pp150-159>> [accessed 14 Feb. 2015]).

the Poultry. Like Stodeley, Bale regularly wrote up the fair accounts and translated French and Flemish documents into English for the Mercers in the 1440s, soon after taking his oath as a member of the Scriveners’ guild.⁵¹

In fact it was common for most guilds, even those with permanent clerks, to pay other scriveners and notaries to undertake specialist tasks, such as writing a bill. In this sense, the increase in the volume of work and hence the abundance of written records was directly related to political and economic activity, such as lobbying for charters, getting embroiled in lawsuits and so on. Although clerks were expected to be literate to some degree in Latin and French, as well as English, the evidence suggests that when high-grade translations were required it was best to find a specialist. After gaining their royal charter of incorporation, the Pewterers had three copies in English made, one of which was destined for the West Country, presumably to demonstrate their newly obtained national rights of scrutiny to the local tin workers. When the Drapers wanted a translation of ‘certain of our corporations from French into English’ in 1502–3 they paid one John Bird 3s 4d to do it.⁵² This was a busy year for some of the mercantile crafts because of the controversy generated by the granting of a new charter to the Tailors by Henry VII, which was alleged to infringe the rights of the City and the other guilds. The storm created by the charter was doubtless welcomed by London’s scriveners, to whom the guilds turned urgently for scribal services. The Drapers, like the Mercers, spent a lot of money on lawyers as well as on clerks to write bills and submissions. They paid 16d to ‘engross’ their supplication to the king’s council, 20s for a parchment copy of what they called the ‘whole charter of London’, probably the Great Charter of 1319, and 2s for translating the Tailors’ new charter from Latin into English.⁵³ This suggests an increasing dissatisfaction with keeping older records solely in Latin or French, and this was perhaps another reason for the new ‘guild books’ that were commissioned towards the end of the fifteenth century. Occasionally, however, there are glimpses of a more informal, indeed familial, approach to record copying. Particularly intriguing is a note in the 1509 ordinance book of the Fishmongers, which states that it

⁵¹ Jefferson, *Mercers*, i. 572, 574; ii. 594, 606, 620, 632, 646; Steer, *Scriveners’ Company Common Paper 1357–1628*, p. 22. For a recent insight into Bale’s career, see H. Kleineke, ‘Robert Bale’s chronicle and the second battle of St. Albans’, *Historical Research*, lxxxvii (2014), 744–50.

⁵² LMA, CLC/L/PE/D/002/MS07086/001 fo. 48v; Drapers’ Hall, London, wardens’ accounts, 1475–1509, fo. 74. Bird is described elsewhere in the records as ‘of the chamber’, suggesting that he may have been employed in some capacity by the city chamberlain.

⁵³ Drapers’ Hall, London, wardens’ accounts, 1475–1509, fos. 74–74v.

was 'written by me Rychard Felde the sone of maister John felde then being warden and I saide Rycharde being of the age of xii yeres at the finishing here of'.⁵⁴

The burgeoning affairs of London's guilds created many opportunities for career advancement (and indeed enrichment) for some of the leading scribes in the city. Two examples can be used to illustrate the success and connections that some could enjoy. Thomas Fermory, one of Bolton's most active London scribes, appears across the records of many institutions in fifteenth-century London. The apprentice of Richard Claidich (who himself worked for guilds such as the Drapers and Tailors), Fermory took the Scribes' oath on 17 June 1434, although his career might have come to a premature end if a suit brought against his master in 1428 had been successful. Simon Welles, one of the clerks of the king's court, alleged that Claidich had infringed a recent statute which prevented parents with an income of less than 20s a year from apprenticing their children to Londoners. Claidich neatly, and successfully, argued that there was nothing stopping a son or daughter from apprenticing him or herself as they pleased.⁵⁵ Fermory went on to become one of London's most ubiquitous and well-connected scribes: like William Porlond, he was a very popular choice as a feoffee, and as a recipient of 'gifts' of goods and chattels made to facilitate business transactions, reflecting the importance of the quasi-legal skills and experience that went alongside the ability to draw up important documents.⁵⁶ He was an executor for the wills and testaments of men such as the controversial draper and alderman, Philip Malpas (d. 1469), and Nicolo Micheli (d. 1449), a member of a prominent Italian mercantile family resident in London. In the latter document he was described as a 'notarius in lombardstrete', indicating that he had established his business right in the financial and mercantile heart of the city, close to the houses and businesses of many of his clients.⁵⁷ Fermory's work for London institutions include several commissions from the wardens of London Bridge: in 1461–2 he wrote some indentures relating to a grant of the south part of the Stocks, known as the 'fishmarket', to a group of fishmongers, and that same year

⁵⁴ J. Colson, 'London's forgotten company? Fishmongers: their trade and their networks in later medieval London', in *The Medieval Merchant: Proceedings of the 2012 Harlaxton Symposium*, ed. C. M. Barron and A. F. Sutton (Donington, 2014), p. 27.

⁵⁵ *Calendar of Letter-Books of the City of London: K, Henry VI*, ed. R. R. Sharpe (1911), p. 87.

⁵⁶ See for example the numerous references to him in transactions recorded in the Close Rolls (*Calendar of Close Rolls, Henry VI, Edward VI*, sub nom).

⁵⁷ TNA: PRO, PROB 11/5, fos. 210–11v; D. B. Foss, 'The Canterbury archiepiscopates of John Stafford (1443–52) and John Kemp (1452–54) with editions of their registers' (unpublished University of London PhD thesis, 2 vols., 1986), ii. 636–7.

he composed ‘a note and great bill to the mayor and aldermen and the whole Common Council of the city of London concerning the great danger to the Bridge from the force of the ice and frost this year’.⁵⁸ It was logical that work for individual citizens would lead to involvement in the affairs of the guilds. Fermory is known to have worked for several: he carried out the important work of copying the text of the new grant of arms obtained by the Ironmongers in 1455; and the Tailors commissioned him to copy more than thirty separate documents in 1438–9 as they gathered evidence to help in their quest for a new royal charter.⁵⁹

Fermory died in the spring of 1471. One of his two executors was another scrivener, Henry Woodcock, whose mother Katherine was related to Fermory – possibly his sister. At that point, Woodcock had only just taken the Scriveners’ oath (January 1471) and so was at the start of his career.⁶⁰ His career seems to have benefited from the kindness of his putative uncle by marriage: in his will Fermory (who had no surviving children of his own) left Woodcock not only the reversion of property in St. George’s parish in Southwark, but also the sum of 20s, a psalter and ‘my largest book of statutes with a book of calendar’.⁶¹ Moreover, at some point over the next few years Woodcock acquired an annual rent of 20s arising from three tenements in London, one of which was the property in Lombard Street where Fermory had lived. By the late 1490s, and probably much earlier, Woodcock and a fellow scrivener were living in the property themselves. The rent was purchased by Dame Elizabeth Bryce (widow of Sir Hugh, a former mayor) and bequeathed to the parish of St. Mary Wolnoth in 1498. Woodcock witnessed her will.⁶² By this point, Woodcock was one of the most prominent members of the Scriveners’ guild and so a Lombard Street address would have been entirely fitting: he was a warden of the Scriveners in 1497–8 when ‘the hoole Company of the Felasship or Mistere of Scryvaners of the Courte l’re of the Citee of London in good and honest maner assembled theym self togider in the Mansion or Dwellyng place of Henry Wodecok’. The purpose of this important meeting was, first of all, to confirm those existing ordinances

⁵⁸ ‘Bridge House Rental 3; account for 1461–2’, in *London Bridge: Selected Accounts and Rentals, 1381–1538*, ed. V. Harding and L. Wright (1995), pp. 114–47 (<<http://www.british-history.ac.uk/london-record-soc/vol31/pp114-147>> [accessed 13 Feb. 2015]).

⁵⁹ LMA, CLC/L/IB/D/001/MS16988/001, fo. 5; CLC/L/MD/D/003/MS34048/001, fo. 302. For the Tailors’ controversial charter, see C. M. Barron, ‘Ralph Holland and the London radicals, 1438–1444’, in *The Medieval Town 1200–1540*, ed. R. Holt and G. Rosser (1990), pp. 160–83.

⁶⁰ Steer, *Scriveners’ Company Common Paper 1357–1628*, p. 23.

⁶¹ TNA: PRO, PROB 11/6, fos. 9v–10v.

⁶² LMA, CLA/023/DW/01/231 (14).

of the craft, contained in the 'Common Paper', which 'seemed to be good and necessary honest and profitable for the said Felaship', and then to agree new ordinances for the 'better ordryng comforte and relief' of the guild.⁶³ Like Fermory, Woodcock was a popular choice as a feoffee for property transactions involving London citizens: he also saw service within the City government, in his case becoming, by 1486 the chief officer (secondary) of the sheriffs' prison, or 'compter' in the Poultry.⁶⁴ Perhaps because of this, Woodcock's work for the city's guilds was more limited, though he had a particularly close connection with the Drapers. As early as 1477 he was paid 'for his labour and business done in divers writings', and in 1483–4 he received 26s 4d for 'the writing and sealing of a general pardon'.⁶⁵ More commissions from the Drapers followed over the next decade, and as well as payments in cash he was in 1489–90 given quantities of fine cloth, perhaps for a livery gown. As we have seen, when the guild wanted to put together a new book of evidences in 1501–2, they turned to Woodcock, and in 1507–8 he was again employed for a matter of some significance when the Drapers paid him £4 6s 8d to copy sixty pieces of evidence into their book. This may well have been connected with the requirement to present ordinances to the king's commissioners that was contained in a controversial statute of 1504, effectively overturning the tradition of mayoral inspection.⁶⁶ By this point Woodcock had at least one apprentice or servant to help him with this kind of work, and the Drapers allowed an extra 20d 'to his chyld that wrote the book'.⁶⁷ In his testament, proved in January 1515/16, Woodcock remembered his own guild, the Scriveners, with a bequest of £20, and also made provision for masses and prayers in his parish church of St. Benet Sherehog for the souls not only of his parents, but also those of Thomas Fermory and his wife.⁶⁸

⁶³ Steer, *Scriveners' Company Common Paper 1357–1628*, p. 49.

⁶⁴ *Calendar of Letter-Books of the City of London: L, Edward IV–Henry VII*, ed. R. R. Sharpe (1912), pp. 236, 300–1; 'Henry VIII: Pardon Roll, Part 4', *Letters and Papers, Foreign and Domestic, Henry VIII, Volume 1: 1509–1514*, ed. J.S. Brewer (1920), pp. 256–73 (<<http://www.british-history.ac.uk/letters-papers-hen8/vol1/pp256-273>> [accessed 14 Apr. 2016]). The City had two compters, one in Wood Street and the other in the Poultry.

⁶⁵ Drapers' Hall, London, wardens' accounts, 1475–1509, fos. 11v, 30.

⁶⁶ See Davies, 'Crown, city and guild', pp. 265–6; P. Cavill, 'Henry VII and parliament' (unpublished University of Oxford DPhil thesis, 2005), ch. 11, esp. pp. 248–51.

⁶⁷ Drapers' Hall, London, wardens' accounts, 1475–1509, fos. 30, 33v, 48v, 72, 74, 74v, 79, 85.

⁶⁸ TNA: PRO, PROB 11/18, fos. 102–102v; his will dealing with a quitrent from property in St. John Walbrook and St. Benet Sherehog was enrolled in the Husting Court in Apr. 1516 ('Wills: 1–10 Henry VIII (1509–19)', *Calendar of Wills Proved and Enrolled in the Court of Husting, London: Part 2: 1358–1688* (1890), pp. 614–28, <<http://www.british-history.ac.uk/report.aspx?compid=67029>> [accessed 14 Aug. 2013]).

It would be easy to characterize the importance of clerks within the London guilds in purely practical ways. They were undoubtedly becoming critically important as administrators of increasingly complex organizations, not least because of the array of charities and endowments that the guilds were accumulating before the Reformation. Less easy to gauge, however, is their influence on guild culture and corporate identity as they went about their tasks of ordering, quantifying, copying and presenting information to internal and external audiences. To what extent did individual style and personality, as well as corporate sensibilities and outlooks, affect and indeed counteract scribal and documentary conventions? What is certainly apparent from looking across the records of London’s guilds is that there are many commonalities between them, but also some important differences in terms of things such as language, presentation, and scope – all of which might have been affected by the personality and preferences of the scribe or his employers. Clerks acted as mediators in several ways, whether in facilitating communication between the guild’s governors (wardens and court of assistants) and the rest of the craft, or in writing up the guild’s records and creating narratives of different kinds for different audiences that reflected a sense of the guild’s purposes and traditions. Occasionally we gain insights into the personalities and interests of particular clerks through their literary or quasi-literary activities, those such as Porlond, Pinkhurst, Usk, Nicholl and others, and it is clear in many of these cases that they were very influential in terms of the ways in which the guilds recorded and presented their affairs. We occasionally have glimpses of how these men regarded their own roles and activities, most famously in the case of William Porland, but also in this example from the records of the Tailors (by now Merchant Taylors) in 1507–8:

Richard Conhyll, late Master, and the four Wardens with him afore in this book named, with the advice, counsel, and consent of the more part of the most worshipful persons, councillors and assistants of the said Company, commanded me Henry Mayour, Notary Public and their common Clerk, to compile and make a book or two in paper of all such Ordinances and Oaths as should concern and appertain to and for the good refinement and common weal of their said Company, and conservation of the same, whose commandment, I the said Henry, diligently according to mine oath and duty obeyed and fulfilled, which book of ordinances and oaths the four Lords named in the said Act of Parliament have approved, ratified, and confirmed and sithen the approbation, ratification, and confirmation of the same book I the foresaid Henry at desire and request of my right singular good master William Grene, now Master, John Tresawell, John Wright, Richard Hall, and John Sexsy Wardens with the said Master Grene, have written, compiled, engrossed, and ordered the same book after the manner and form as it appeareth to every man’s sight that listeth to see or read. And it was clearly written, finished, engrossed, and ended by me

the same Henry within my dwelling house pertaining to the whole body of this said fellowship the 20th day of June in the year of Our Lord God 1508, and in the 23rd year of the reign of Our Most dread Sovereign Lord, King Henry the 7th.⁶⁹

The particular book Henry Mayour mentions still survives and it is one of the highly decorated evidence books discussed above, produced to satisfy the requirement of the act of parliament of 1504 which required guilds to have their ordinances approved by the crown rather than the City. Mayour is an interesting individual: the earliest reference to him is an unusual one, in that he is described as an 'apprentice' in the witness list to a deed of 1477 concerning property in Essex. The other witnesses included Thomas Harding, a London scrivener, so it is possible that Mayour was formally or informally gaining what we might call 'work experience'.⁷⁰ Harding was not, apparently, Mayour's own master: when he took the Scriveners' oath in November 1481 Robert Leggett was named in that role.⁷¹ So the relationship with Harding is unclear. After taking the oath, Mayour's career progressed rapidly and in 1486 he became clerk of the Goldsmiths. The surviving records he wrote for the Goldsmiths are not especially noteworthy, mainly comprising brief lists of payments, together with short and selected proceedings of the guild's court. For reasons that are unclear, he was 'dismissed' from his post with the Goldsmiths in late 1492, and by October was writing the minutes of the Tailors' court.⁷²

Henry Mayour's court minutes for the Tailors have attracted the attention of a number of historians and literary scholars. They are some of the most interesting records of the pre-Reformation London guilds: written almost exclusively in English, they are characterized by a fluency and an appreciation of language and narrative which are particularly pronounced in his accounts of the numerous disputes and debates which were heard before the court.⁷³ Malcolm Richardson, for instance, has recently drawn attention to some of their distinctive rhetorical and linguistic characteristics in his book on merchant writing.⁷⁴ Among the most dramatic episodes

⁶⁹ LMA, CLC/L/MD/A/004/MS34004, fos. 37–38v (printed in *Memorials of the Merchant Taylors' Company*, ed. C. M. Clode (1875), pp. 200–1).

⁷⁰ Essex Record Office, D/DAY T1/34. A London fishmonger and tallowchandler were among the other witnesses to this deed.

⁷¹ Steer, *Scriveners' Company Common Paper 1357–1628*, p. 23. Thomas Harding took the oath in 1467, having served as Robert Bale's apprentice (Steer, *Scriveners' Company Common Paper 1357–1628*, p. 22).

⁷² Davies, *Court Minutes*, pp. 10–11.

⁷³ Davies, *Court Minutes*, pp. 206–62.

⁷⁴ Richardson, *Middle Class Writing*, pp. 41, 42, 65, 82.

was a dispute between a former master of the guild, John Heed, and the present master and wardens: Mayour wrote this up in a detailed 1,500-word account in which he includes a great deal of reported speech including some of the choice insults directed by Heed towards his successor as master. In this sense, Mayour can be seen as following in the footsteps of clerks such as Porlond, whose descriptions of the dealings of the Brewers’ Company in the 1420s were similarly vivid.⁷⁵

Returning to Mayour’s prologue to his evidence book, some of the statements he makes are of great interest in giving us an idea of how important the company clerks had become by this period. We should note, for instance, the description of himself as a notary public (so not just any old scrivener or even ‘writer of court hand’), and the statement that he worked on the book in his ‘dwelling house’, implying a certain amount of flexibility in terms of where documents could be kept. Most significant, perhaps, are his statements about the nature and purpose of his work – the importance of his book of ordinances and oaths for the ‘good refinement and common weal’ speaks both of the significance of these books of evidence, but also of the crucial role of the clerk in compiling them and thereby fostering a sense of community and common purpose, internally and to external audiences. He writes also of the need for the ‘conservation’ of these ordinances by compiling the book, which has echoes of the work of earlier clerks such as Henry Nicholl of the Grocers, who took such pains to document the archives and history of his guild. ‘Conservation’ was not a static notion: quite the reverse, as it implied the continuing use and re-use of books and documents, and their value for the guild in providing an evolving framework for social and economic organization, and in doing so creating a kind of historical narrative. Mayour also refers to the processes of writing, compiling, engrossing and ordering, which took the books through to their final state, and once again has resonances in terms of the importance of archives for the guilds as internal repositories of knowledge, which could be drawn upon to advance the interests of the guild in the wider world. Finally there is another reference to the visual and symbolic significance of books, with the ordinance book being compiled ‘after the manner and form as it appeareth to every man’s sight that listeth to see or read’. Here was someone who – as his court minutes suggest – had a keen appreciation of both the practicalities and aesthetics of reading and writing. Like many of his fellow guild clerks, Mayour was, in many senses, his guild’s chronicler as much as he was its administrator.

⁷⁵ Davies, *Court Minutes*, pp. 207–10; *A Book of London English, 1384–1425; with an Appendix on English Documents in the Record Office* by M. M. Weale, ed. R. W. Chambers and M. Daunt (Oxford, 1931; repr. 1967), pp. 141–7.

3. What did medieval London merchants read?

Caroline M. Barron

Historians have tended to take a dim view of the reading habits of medieval Londoners. Sylvia Thrupp wrote ‘The fact that the book trade remained largely in the hands of aliens and that as late as 1520 the Mercers were classing books among “tryfylles”... does not speak well for the London merchants’ intellectual curiosity or initiative’.¹ Sheila Lindenbaum in her thoughtful analysis of ‘London texts and literate practice’ notes that those citizens who owned ‘more than the commonly held devotional texts and works of religious instruction’ were usually members of the merchant elite who, in her view, consciously aimed to draw a clear social line between themselves and the rest of the citizenry.² Any analysis of the reading habits of medieval Londoners is bound to be skewed: in the first place by the wealth of the merchants who could afford the money to buy books and the time to read them, and in the second place by the nature of the evidence: much of what we know about the book-owning habits of Londoners derives from their wills which have survived in large numbers. But wills are not inventories. They were drawn up with particular concerns and objectives and reflect the pious preoccupations of the testators.

This essay aims to see if it is possible to move a little closer to the reading practices of Londoners, artisans as well as merchants. One way of attempting this is to look, not only at bequests of books in wills, but also at surviving manuscripts which we know (largely from inscriptions) to have been owned by Londoners. This study has been greatly helped by two recent articles: in the first Kathleen Scott provides two lists of books owned by merchants, and in the second article Anne Sutton analyses the books ‘for worship and pleasure’ to be found in the wills of nearly 650 London mercers between 1259 and 1536.³ Scott’s first list contains seventy-two merchants whose names, or

¹ S. L. Thrupp, *The Merchant Class of Medieval London* (Ann Arbor, Mich., 1948), p. 161.

² S. Lindenbaum, ‘London texts and literate practice’, in *Medieval English Literature*, ed. D. Wallace (Cambridge, 1999), pp. 284–309, esp. p. 302.

³ K. L. Scott, ‘Past ownership: evidence of book ownership by English merchants in the later middle ages’, in *Makers and Users of Medieval Books: Essays in Honour of A. S. G. Edwards*, ed. C. Meale and D. Pearsall (Woodbridge, 2014), pp. 150–77; A. F. Sutton, ‘The acquisition and disposal of books for worship and pleasure by mercers of London in the later middle ages’, in *Manuscripts and Printed Books in Europe 1350–1550*, ed. E. Cayley and S. Powell (Liverpool, 2013), pp. 95–114, 249–57.

merchant marks, are inscribed in manuscripts of whom fifty-five may be identified as Londoners. The second is a list of 106 merchants who refer to books in their wills, or whose ownership of books is recorded in inventories or attested in some other secondary source. There are seventy-one Londoners in this second list. The earliest London book-owner recorded in these two lists is Andrew Horn, the famous city chamberlain and bibliophile who died in 1328, and the latest is Richard Crympe 'grocer in newgate market at the syne The griffin' who inscribed his name in a copy of Mandeville's *Travels* and Lydgate's poems on 8 March 1571 (Cambridge, Trinity College MS R.4.20).⁴ Anne Sutton's meticulous work has added considerably to this second list: she found some fifty-seven mercer wills which mentioned books and thirty-six of these were not included in Scott's list because they were unknown before the publication of Sutton's research.

To look first at Scott's list of Londoners whose ownership of books is attested in secondary sources, almost all of them will bequests. Some 150 named volumes can be attributed to Londoners in this list, only thirty (or 20 per cent) of which are not religious. There are seventeen psalters, and sixteen each of primers and breviaries (portiforia); ten missals and eight bibles. But the text which appears most frequently is the *Legenda Aurea*, whether in its Latin or English versions: there were twenty-one copies recorded among these London book-owners. By contrast there are only single copies of *Piers Plowman*, the *Ars Moriendi*, *The Prick of Conscience* and *Cleansing*.⁵ Among the non-religious books there is much greater diversity, as one would expect. But the most common books to appear were chronicles (eight altogether in French, Latin or English); four law books (canon and civil law); four 'romances' of various kinds and three copies of *The Canterbury Tales*. So the overwhelming impression to be gained from Scott's list of the books owned by Londoners is that their primary focus and concern was religion. The same conclusion may be drawn from the analysis by Anne Sutton: only five of the fifty-seven book-bequeathing mercers listed secular books in their wills.⁶ But this is what we would expect from the evidence of wills, and the majority of these recorded bequests were made to religious people or institutions and sought prayers in return for the gifts.

⁴ Scott, 'Past ownership', pp. 158, 170.

⁵ *The Prick of Conscience*: a very popular text sometimes attributed (probably incorrectly) to Richard Rolle (see H. E. Allen, *Writings ascribed to Richard Rolle, Hermit of Hampole* (New York, 1927), pp. 372–97). *Cleansing* is probably *The Cleansing of Man's Soul* (see P. S. Joliffe, *A Check List of Middle English Prose Writings of Spiritual Guidance* (Toronto, 1974), E. 14).

⁶ Sutton, 'Books for worship and pleasure', pp. 108–13. Jeremy Goldberg, in his search for books in the wills of lay testators in York, found only 107 (less than 5%) who owned books, and of these almost all were service books and books of hours ('Lay book ownership in late medieval York: the evidence of wills', *The Library*, xvi (1994), 181–9).

What did medieval London merchants read?

A rather different impression of the reading of Londoners may, however, be derived from studying the inventories of their household possessions. Such inventories were drawn up by the executors before disposing of the testator's goods, but very few of these inventories survive. There are also a few inventories which were produced in cases of bankruptcy. Seven of the London book owners noted by Scott in her second list are known from such sources (Roger Chalket, pepperer, inventory 1361; John Cogsale, haberdasher, inventory 1376; Richard Lyons, vintner, inventory 1376; John Sharnebrok, chandler, inventory, 1376; Richard Toky, grocer, inventory, 1391; William Cost, grocer, inventory, 1392; Richard Cely, Stapler, inventory, 1482).⁷ These seven inventories record seventeen books: three primers, three *Legends of Saints*, a copy of *The Cleansing of Man's Soul* and then four romances, four practical volumes and two books 'de Englyssh'⁸ priced at eight pence. The evidence of these inventories thus suggests a much more even balance between religious and secular books in the ownership of medieval Londoners. The inventory of the household goods of the middle-ranking mercer, Richard Gyttns, whose goods were sequestered by the London sheriff in August 1507, illustrates this point very well. In all he possessed twenty-one books: five mass books (richly bound), three printed primers, and copies of *The Canterbury Tales*, *Guy of Warwick*, *Piers Plowman*, *The Siege of Jerusalem*, a book of tales in English and two books of French tales, two chronicles, a book of physic and another of medicines for horses and 'a book in English of the Customs of London'.⁹ Some of these volumes may have been book stock for sale, but this remarkable inventory demonstrates that the reading matter of Londoners, at least by the early sixteenth century, was more diverse than their wills might suggest.

This partial, or biased, picture of book-owning by Londoners derived from reading their wills is well-illustrated by the earlier case of Thomas Carleton. He was an embroiderer who was elected an alderman in the period of annual elections to that office, was an MP in 1382 and died in

⁷ Scott, 'Past ownership', pp. 168–72; see also Sutton, 'Books for worship and pleasure', p. 106, citing the bankruptcy inventory (c.1483) of William Ferris (admitted to Mercers' Company 1453), whose household goods included a primer and a 'portuous'.

⁸ These two books were listed in the inventory made of the goods of the small-scale grocer William Cost, whose total goods were worth only a few pounds (see S. H. Cavanaugh, 'A study of books privately owned in England: 1300–1450' (unpublished University of Pennsylvania PhD thesis, 1980), p. 210 and P. Nightingale, *A Medieval Mercantile Community: the Grocers' Company and the Politics and Trade of London 1000–1485* (1995), pp. 329–30; TNA: PRO, C 131/42/2). I am grateful to Martha Carlin for a transcript of this inventory.

⁹ TNA: PRO, E 13/192, fos. 7–8, plea in court of the barons of the exchequer, 1415–16. For Gyttns, see A. F. Sutton, *The Mercy of London: Trade, Goods and People, 1130–1578* (Aldershot, 2005), pp. 338, 354.

1389.¹⁰ He was a member of the Tailors' fraternity of St. John the Baptist and wished to be buried in their chapel at the north door of St. Paul's Cathedral. A chantry was to be set up and to John Anne, the chaplain there, Carleton bequeathed two books: a bible and a legend of saints.¹¹ But we know that Thomas Carleton owned at least one other book: a lay 'common place book' (BL, Additional MS 38131), which Hannes Kleineke identified as compiled by Carleton, although in the volume he does not identify himself as the owner/compiler. This contains copies of statutes and ordinances, both civic and national, documents relating to the Tailors' fraternity and a version of FitzStephen's famous account of the city of London derived from the *Liber Custumarum*, compiled by Andrew Horn and bequeathed by him to the London Guildhall. So here we find a London embroiderer, a wealthy and reasonably important citizen, not only owning the religious books specified in his will, but putting together a compendium of documents and other texts in a volume for his own use in a secular context. He is unlikely to be the only Londoner who compiled and owned such a volume of useful personal memoranda.¹² Among the surviving cartularies compiled by, or for, laymen (as opposed to clerics and religious houses) there are five which belonged to London merchants: three from the fourteenth century (Adam Fraunceys, mercer, alderman, d. 1375; John Pyel, mercer, alderman, d. 1382; John Curteys, ?grocer, mayor of the Calais Staple, d. 1391) and two from the sixteenth century (Richard Fermor, grocer, alderman, d. 1551 and Sir George Monoux, draper, alderman d. 1544).¹³ All these men held land outside London as well as in the city (as was the case with many successful London merchants) and they used their cartularies to record their newly acquired rural manors. There was less need to keep a private record of London properties since deeds relating to city lands were recorded in the voluminous City Husting Rolls. But secular utilitarian books of this kind must have been ubiquitous in the houses of London merchants.

¹⁰ For a biography of Carleton, see A. B. Beaven, *The Aldermen of the City of London* (2 vols., 1908), i. 397; H. Kleineke, 'Carleton's Book: William FitzStephen's "Description of London" in a late fourteenth-century common-place book', *Historical Research*, lxxiv (2001), 117–26.

¹¹ *Calendar of Wills Proved and Enrolled in the Court of Husting*, ed. R. R. Sharpe, (2 vols., 1889), ii. 272–3; LMA, Commissary Register 1, fos. 173v–174. For the chantry, see M. Rousseau, *Saving the Souls of Medieval London: Perpetual Chantries at St. Paul's Cathedral, c.1200–1548* (Farnham, 2011), p. 22.

¹² See the volume (BL, MS Additional 48031A) put together in the 1470s by John Vale, the draper and secretary to Sir Thomas Cook (*The Politics of Fifteenth-Century England: John Vale's Book*, ed. M. Kekewich and others (Stroud, 1995)).

¹³ See G. R. C. Davis, *Medieval Cartularies of Great Britain and Ireland*, ed. C. Breay, J. Harrison and D. Smith (rev. edn., 2010); and *A Calendar of the Cartularies of John Pyel and Adam Fraunceys*, ed. S. O'Connor (1993).

What did medieval London merchants read?

When we turn to consider the other list of books compiled by Kathleen Scott, namely those surviving manuscripts in which medieval merchants have inscribed their names or marks, the more balanced picture suggested by the inventories is confirmed. Of the seventy-seven merchants in the list, fifty-five are Londoners and among them they owned sixty-five volumes: twenty (31 per cent) were broadly religious volumes and the remaining forty-five (69 per cent) were secular. This is almost the reverse of the figures for the religious and secular books mentioned in the wills in the other list. It may well be the case that the vicissitudes of religious controversy and change encouraged the destruction of more religious books and that secular, non-controversial, books had a better chance of surviving. Perhaps not surprisingly, however, it is the books of hours and psalters which appear most frequently among the religious books. This may be because they were often beautifully illustrated and so survived as works of art rather than as devotional books. Moreover such volumes often have the births and deaths of family members written into the calendars and so their owners are more easily identified than may be the case with other volumes.¹⁴ Although some of the named obits are hard to read, and their identification with Londoners is not always secure, some like John Clerk, grocer and apothecary, clearly stated that a fourteenth-century psalter and hours (BL, Harley MS 273) belonged to him¹⁵ and on a folio of a thirteenth-century psalter (Cambridge, Trinity College MS O.4.16) is recorded 'Of your charyte pray for the soull of Wyllyam Clarkson ferrar of london and Margaret hys wyffe and all there childaris'.¹⁶ Simon Rice, a mercer, and merchant of London who died in 1530, likewise had written into a fifteenth-century psalter 'Off your charite pray for the soules of Symon Rice and Letyce his wyffe their father soules ther mothers soles ther frendes soules and all Cristen solles'.¹⁷ Most of the

¹⁴ In fact the seven London owners of books of hours and psalters in Scott's list are not all securely identified: the volumes are only tentatively associated with William Benet, grocer, John Busshells, tailor and John Hankinson, mercer.

¹⁵ Scott, 'Past ownership', p. 157; John Clerk was certainly a grocer and was the personal apothecary of Edward IV (see Nightingale, *A Medieval Mercantile Community*, p. 520).

¹⁶ Scott, 'Past ownership', p. 157, and see Scott, *The Mirroure of the Worlde: MS Bodley 283* (Oxford, 1980), p. 9 n. 4; K. Harris, 'Patrons, buyers and owners: the evidence for ownership and the role of book owners in book production and the book trade', in *Book Production and Publishing in Britain 1375-1475*, ed. J. Griffiths and D. Pearsall (Cambridge, 1989), pp. 163-99, p. 177, illus. 17. For the will of Margaret Clarkson, widow, dated 24 Mar. 1534, see LMA, Commissary Register MS 9171/10, fo. 225v.

¹⁷ Scott, 'Past ownership', p. 163, and K. Scott, *Later Gothic Manuscripts 1390-1490* (2 vols., 1996), ii. 295-6. Simon Ryse's will was drawn up on 7 Mar. 1529 but he makes no mention of his psalter, only his lands and the numerous gowns which he distributes (see TNA: PRO, PROB 11/23 fos. 126v-127v).

books of hours and psalters associated with Londoners belong to the later fifteenth or early sixteenth centuries. The earliest book of hours and psalter with a secure London obit is the volume (Oxford, Bodleian Library, MS Hatton 4) which appears to have belonged to Richard Gregory, a London ironmonger whose obit is recorded in the calendar on 4 September. His will was drawn up on 2 September 1397 and proved two days later.¹⁸ Doubtless there are further books of hours and psalters which have inscribed in them the names of London merchants and their families. On the eve of the Reformation, William Harding, a London mercer, noted in a fifteenth-century book of hours (Victoria and Albert Museum, Reid MS 46), his intention to record all the births in his family in the volume which, in fact, passed down the female line.¹⁹

But books of hours were not the only religious volumes owned by Londoners: two merchants in the sixteenth century inscribed their names in thirteenth-century bibles²⁰ and three others owned copies of *The Prick of Conscience*: William Smart, who was warden of the Grocers' Company in 1509–10; Robert Cresswell, 'grocer at the harrowe in bucklersburye'; and Christopher Eliot, a goldsmith who was several times warden of his Company between 1492 and 1509.²¹ The fact remains, however, that the great majority of the books which have inscribed in them the names of medieval Londoners were secular rather than religious in emphasis. Some of these were practical books – formularies and books of instruction of

¹⁸ See K. Scott, 'An hours and psalter by two Ellesmere illuminators', in *The Ellesmere Chaucer: Essays in Interpretation*, ed. M. Stevens and D. Woodward (San Marino, Calif., 1995), pp. 87–119, esp. pp. 102–4 fig. 27; E. Solopova, *Latin Liturgical Psalters in the Bodleian Library* (Oxford, 2013), pp. 230–1 (see also the will of Richard Gregory, ironmonger, dated 2 Sept. 1397, LMA, Commissary Register MS 9171/1, fos. 400v–401).

¹⁹ William Harding was a warden of the Mercers' Company in 1545. See Sutton, *Mercery*, p. 559; *Western Illuminated Manuscripts in the Victoria and Albert Museum*, compiled by R. Watson (3 vols., 2011), i. 243–6. I am grateful to Dr. Watson for drawing this manuscript to my attention.

²⁰ Cambridge, Gonville and Caius MS 350/567 (bible of c.1230–40), see *The Cambridge Illuminations: Ten Centuries of Book Production in the Medieval West*, ed. P. Binski and S. Panayotova (2005). The inscription in a 16th-century hand on the end leaf is probably that of Christopher Rawson, who was a warden of the Mercers' Company in 1514–15. Richard Daldrene, clothworker, owned the bible now GL, MS 415 (see Scott, 'Past ownership', p. 158).

²¹ Smart owned Huntington Library MS HM 130 and Cresswell owned Oxford, Trinity College MS 16b (see C. M. Meale, 'The Libelle of Englyshe Polycye and mercantile literary culture in late-medieval London', in *London and Europe in the Later Middle Ages*, ed. J. Boffey and P. King (1995), pp. 181–227, at p. 190, n. 26, and J. Boffey, *Manuscript and Print in London, c.1475–1530* (2012), p. 55 and plate 20). Eliot's manuscript is BL, Royal MS 18.A.v (see Scott, 'Past ownership', p. 158 and Boffey, *Manuscript and Print*, p. 148).

various kinds – and seven Londoners owned copies of the *Brut* or other chronicles. The striking aspect, perhaps, of London book ownership is the predominance of literary texts: five copies of Gower's *Confessio Amantis*, two copies of Hoccleve, five copies of works of Chaucer (*Tale of Melibee*, *Troilus*, *Boethius*, *The Clerk's Tale* and *The Canterbury Tales*) and fourteen copies of works by Lydgate, who emerges as the most popular author of the late medieval period in London. This is not perhaps surprising, since he is probably also the most prolific author.²² Although many of these literary texts were owned by merchants from the greater trading companies, some were not. John Bartholomew and Thomas Goodonston, London girdlers, both at times owned a copy of Gower's *Confessio Amantis*, and John Keyne 'of London Frutrer' wrote his name in a copy of Chaucer's *Troilus and Criseyde*; William Marshall 'armerer' of London owned a manuscript containing works by Chaucer and Lydgate and a copy of the *Libelle of Englyshe Polycye*.²³ It would be good to know more of these comparatively humble men.

The lists of book owners, known from their inscriptions in surviving manuscripts or from references in wills and inventories, has demonstrated the existence in London of a wide range of books and of book owners and users. These books were not exclusively liturgical and religious and the impression to be gained from will bequests has to be tempered by the evidence from inventories and surviving manuscripts. Moreover, although it was grocers, mercers, drapers and, to a lesser extent fishmongers, vintners and skinners, who owned and bequeathed manuscripts, men from less prestigious companies, or even artisan ones, are also to be found owning books. Apart from those already mentioned²⁴ we know that William Bristowe, a London cordwainer, left 'all his books' to his son Simon; Richard Glemesford, felmonger (a dealer in animal skins) in 1384 left his antiphoner to his parish of St. Stephen Coleman Street;²⁵ and John Clifford, a mason in Southwark who died in c.1417, left a collection of books including a psalter, an English translation of the Gospels, and a *Legenda Aurea*.²⁶ So book-owning among Londoners was by no means confined exclusively to the merchant class.

²² Scott, 'Past ownership', pp. 156–65.

²³ Scott, 'Past ownership', pp. 156, 160, 161; for Marshall, see also Boffey, *Manuscript and Print*, pp. 14–17.

²⁴ See n. 23.

²⁵ LMA, Husting Roll 114 (22); *Husting Wills*, ed. Sharpe, ii. 105, 249. Glemesford also left money to buy a *Legenda* for his church, and he left 10 marks to buy a missal for use in the church of Glemesford (Suffolk) where his parents were buried.

²⁶ Cavanaugh, 'A study of books', pp. 196–7; for Clifford see J. Harvey, *English Medieval Architects* (2nd edn., Gloucester, 1984), pp. 61–2.

There are, perhaps, certain types, or categories, of books which we may identify as particularly associated with Londoners. These include common-profit books which were bequeathed to a named individual who, in return, was to pray for the donor and then pass the book on to another recipient who would perpetuate this chain of prayer. John Colop, probably the apprentice of Robert Killum, a grocer who died in 1416, used his own goods and those of his master, for whom he was an executor, to provide religious books to be used by lay people, and priests. One of the books Colop commissioned (Cambridge University Library MS Ff vi 31) is, in the opinion of Ian Doyle, ‘remarkable for combining moderate Lollard tracts ... with the rare epistles of spiritual counsel connected with *The Cloud of Unknowing*’.²⁷ The volume bears the inscription that it was to ‘be delyvered and committed fro persooone to persooone, man or womman, as long as the booke endureth’.²⁸ John Colop, although not a named executor, had been involved with the distribution of the goods of Richard Whittington. He seems to have worked closely with John Carpenter, an executor, who bequeathed Colop twenty shillings in his will.²⁹ So Colop moved in bookish circles, and he linked the search for commemorative prayer with the use of books.

Similar books for use in such chains of prayer were made from the goods of Robert Holland, a sheerman (d. 1441) and John Gamelin, a draper. Both volumes (with identical inscriptions) were small, unpretentious texts written in English: Holland’s volume was a copy of Walter Hilton’s *A Treatise of Eight Chapters* and Gamelin’s goods funded a text of *The Poore Caitiff*.³⁰

²⁷ Cited by M. Bose, ‘Reginald Pecock’s vernacular voice’, in *Lollards and their Influence in Late Medieval England*, ed. F. Somerset, J. Havens and D. Pitard (Woodbridge, 2003), pp. 217–36, at p. 230, n. 66.

²⁸ See W. Scase, ‘Reginald Pecock, John Carpenter and John Colop’s “common-profit” books: aspects of book ownership and circulation in fifteenth-century London’, *Medium Aevum*, lxi (1992), 261–74, at p. 261. Another common-profit book made from the estate of John Killum is Lambeth Palace MS 472 (see Scase, p. 273 n. 49 and below, p. 68).

²⁹ J. Imray, *The Charity of Richard Whittington* (1968), p. 14; T. Brewer, *Memoir of the Life and Times of John Carpenter* (1856), p. 141; L. Mooney and E. Stubbs, *Scribes and the City: London Guildhall Clerks and the Dissemination of Middle English Literature, 1375–1425* (Woodbridge, 2013), pp. 103–4.

³⁰ On Gamelyn, see M. Jurkowski, ‘Lollard book producers in London in 1414’, in *Text and Controversy from Wyclif to Bale: Essays in Honour of Anne Hudson*, ed. H. Barr and A. Hutchinson (Turnhout, 2005), pp. 200–26, esp. p. 215. The volume is now BL, Harley MS 2336 and the inscription is on fo. 137. Robert Holland’s volume is now BL, Harley MS 993 and the inscription is to be found on fo. 38 where it is followed by a note in a late 16th- or early 17th-century-hand recording that James Palmer owned the book ‘yet without the least intention to pray for the soul of Robert Holland being a wicked and simple custom of sottishly ignorant papists’. At one time the volume was in the possession of Anne Colville, a

These manuscripts survive with their inscriptions. This link between prayer, spiritual instruction and book ownership was not exclusive to Londoners, but it seems to have been particularly marked among them. There were other comparable common-profit book schemes, but they are to be found among clerical users. What is distinctive about the London scheme is that the books were to circulate among a variety of devout lay Londoners.³¹ One of the tracts collected by John Colop for his common-profit book states that ‘the science of God cometh of diligence of redynge: truli ignorance of God is dougter of necligence. Treuli if not alle men redynge knowyn God, how schal he know that redith not?’³²

A good example of how this chain of prayer operated among generations of Londoners linked by a religious book, is provided by the example of the psalter/primer which William Pratte, a master of the Mercers’ Company, left to his daughter Alice Bull when he died in 1486. Alice passed it on to the priest, Richard Philip who, in turn, bequeathed it to the mercer John Stile who recorded the book’s history and left it, in 1505, to another priest, John Overton, on the understanding that he would pass it on ‘as in the said book ys expressed by writtyng, dewly to pray for the sowles theryn expressed by writing’. When Overton died in 1509 he bequeathed the book to Thomas Hycdon, his successor as chaplain to the Mercers’ Company. So, in the course of twenty-three years the psalter had been in the possession of two mercers, one woman, who was the daughter of a mercer, and two priests, thus providing a good example of the practical manifestations of the mixed life.³³

The chronicles which are collectively known as the ‘London chronicles’ may also be associated particularly with London owners. These chronicles, of which there are some forty manuscripts surviving, are distinguished by

nun at Syon whose name appears on fos. 2* and 39v (see D. N. Bell, *What Nuns Read: Books and Libraries in Medieval English Nunneries* (Kalamazoo, Mich., 1995), p. 190).

³¹ Scase, ‘Aspects of book ownership’, pp. 262–3. David Harry has recently placed these common-profit books within a wider context of commemoration and, in particular, argues that William Caxton considered his own printed books to be for the common profit (see his ‘William Caxton and commemorative culture in fifteenth-century England’, in *The Fifteenth Century XIII: Exploring the Evidence: Commemoration, Administration and the Economy*, ed. L. Clark (Woodbridge, 2014), pp. 63–79).

³² See K. Ghosh, ‘Bishop Reginald Pecock and the idea of “Lollardy”’, in Barr and Hutchinson, *Text and Controversy*, pp. 251–65, at p. 264 n. 36; M. Deansley, *The Lollard Bible and other Medieval Biblical Versions* (Cambridge, 1920), p. 450.

³³ *Hospitals, Towns and the Professions*, ed. N. Ramsay and J. Willoughby (Corpus of British Medieval Library Catalogues, xiv, 2009), pp. 116–17; Pratte owned other books and was associated with William Caxton (see Scott, ‘Past ownership’, p. 171; Sutton, ‘Books for worship and pleasure’, p. 106; Harry, ‘Caxton and commemorative culture’, pp. 73–4).

being written in English and by their format. The material is divided up, not by regnal years nor by *anno domini*, but by the mayoral year, which runs from October to October. Each entry is headed by the name of the mayor and the two sheriffs who served for that year. Not all those chronicles classed as 'London chronicles' fulfil these criteria precisely. A few are written in Latin while observing the mayoral year divisions of material; others slip from English into Latin and back again, and others survive as short continuations to a *Prose Brut* chronicle.³⁴

It is clear from the lists compiled by Kathleen Scott that Londoners were interested in historical compilations and owned chronicle histories. At least seven Londoners owned copies of the *Prose Brut*³⁵ and William Purde, a London mercer, bought a copy of Caxton's edition of Higden's *Polychronicon*.³⁶ Six Londoners are known to have bequeathed chronicles in their wills.³⁷ So there is evidence that Londoners were interested in history in its broadest sense, but their ownership and use of the specifically London chronicles is harder to assess. Sir Matthew Philip, a prominent and wealthy London goldsmith, who was mayor of London in 1463–4 and died in 1476, owned a copy of an 'English book of Chronicles of London' which he kept in his parlour.³⁸ One surviving manuscript copy of a London chronicle,

³⁴ On the London chronicles, see C. L. Kingsford, *English Historical Literature in the Fifteenth Century* (Oxford, 1913) and M. McLaren, *The London Chronicles of the Fifteenth Century: a Revolution in English Writing* (Cambridge, 2002).

³⁵ William Bentley, merchant; Robert Lewis, merchant; Richard Myll, grocer; William Nasby, skinner; John Satton, salter (see Scott, 'Past ownership', pp. 156–65). John Ashe, grocer and Thomas Northlond, grocer and sheriff 1483–4, and William Purchase, mercer and mayor of London 1497–8 (see L. M. Matheson, *The Prose Brut: the Development of a Middle English Chronicle* (Tempe, Ariz., 1998), pp. 229, 328).

³⁶ Sutton, *Mercery*, p. 169.

³⁷ Thomas Crull, grocer (d. 1540), bequeathed 'a great book called Polycronyca' to another grocer, Nicholas Ticheburne; William Kyng, draper (d. 1394), left 'librum meum vocatum cronicles in gallicis' to St. Osyth's priory (LMA, Husting Roll 123 (41)); Robert Skrayngham, mercer, (d. 1467) bequeathed 'my grete Englyssh booke called pollycronycon' to the merchant, Thomas Thirland (TNA: PRO, PROB 11/5, fo. 184); Walter Smyth, draper (d. 1538) left an English chronicle (TNA: PRO, PROB 11/26). Anne Sutton found two mercers who bequeathed historical works: William Haxey in 1460 left a copy of the *Gesta Romanorum* to St. Paul's Cathedral and William Bromwell had a copy of Frossart's *Chronicles* (see Sutton, 'Books for worship and pleasure', p. 111). See also Boffey, *Manuscript and Print*, pp. 64–5.

³⁸ TNA: PRO, PROB 11/6, fos. 203–204v. and PROB 2/8. The text is damaged but it appears that the manuscript also contained the poem on Henry V's expedition into France (as BL, Harley MS 565) and was valued at 6s. I am very grateful to Jessica Lutkin for providing me with a transcript of this will and inventory. For Matthew Philip, see T. F. Reddaway and L. E. M. Walker, *The Early History of the Goldsmiths' Company 1327–1509* (1976), pp. 301–2.

covering the years 1189 to 1443, was, in the early sixteenth century, in the hands of Richard Myton, a London merchant, who used some blank folios for copies of documents relating to his trade in malt in and out of the port of Boston.³⁹ A brief London chronicle (BL, Harley 541) seems to have emanated from the household of Henry Frowyk, mercer, (mayor 1435–6, 1444–5) but, otherwise, a careful search of the surviving manuscripts containing London chronicles did not reveal the names of any other London owners, apart from those working in institutions.⁴⁰ It would seem that these chronicles were seen less as domestic, household or entertainment books and more as utilitarian texts.

The earliest London chronicles seem, in fact, to have emanated from the civic bureaucracy: Andrew Horn, the energetic city chamberlain (1320–8) inserted lists of mayors and sheriffs into his compilation known as the *Liber Custumarum*.⁴¹ By the middle of the fourteenth century a list of mayors and sheriffs of London was written into the City's Letter Book F (fo. 231) tracing the mayor's office back to 1189.⁴² Occasionally the compilers of these lists included short historical notes in some years, for example in 1377 the death of Edward III was noted and, and in 1381, the Peasants' Rising. The fact that the election of Richard Odiham as chamberlain is recorded under the year 1380 may suggest that it was in the chamberlain's office that this useful list was kept up to date and occasional historical entries inserted. No other such elections to civic office are noted although the list was maintained in a variety of hands up to 1550. The entries are not recorded in English until 1526.⁴³ So this listing in the City's Letter Book F provides a kind of minimalist, or skeleton, London chronicle.

This connection between the civic bureaucracy and the London chronicles is particularly apparent in three other London chronicle manuscripts. The first manuscript known as Miles Adys' Book (Oxford, Bodleian Library, MS Gough London 10) appears to have been commissioned by Miles

³⁹ BL, Harley MS 565, fos. 100v–101v. See J. Boffey and C. Meale 'Selecting the text: Rawlinson C.86 and some books for London readers', in *Regionalism in Late Medieval Manuscripts and Texts: Essays Celebrating the Publication of 'A Linguistic Atlas of Late Medieval English'*, ed. F. Riddy (Cambridge, 1991), pp. 145–71, 163–4 and n. 71. It has not been possible to identify Richard Myton.

⁴⁰ For the Frowyk chronicle, see A. Sutton and L. Visser-Fuchs, 'The making of a minor London chronicle in the household of Sir Thomas Frowyk (died 1485)', *Ricardian*, x (1994–6), 86–103.

⁴¹ *Liber Custumarum*, ed. H. T. Riley (2 vols., 1860), i. 239–46 and 291–4. See also McLaren, *The London Chronicles*, pp. 109–10.

⁴² *Calendar of Letter Books ... of the City of London: Letter Book F*, ed. R. R. Sharpe (1904), pp. 276–303.

⁴³ McLaren, *The London Chronicles*, pp. 121–2 and *Letter Book F*, pp. 276–303.

Adys, while he was a warden of the Goldsmiths' Company in 1477–8 and later as chamberlain of London from 1479 to 1484. While he was a warden in 1478, the Goldsmiths commissioned their new volume of company ordinances and statutes and when Adys moved to the city chamberlain's office the following year it would appear that he decided to commission a comparable record book of useful material for the use of the chamberlain.⁴⁴ His book contains copies of material from the City's Letter Books (the latest entry is taken from Letter Book L dated 1481).⁴⁵ When Adys ceased to be chamberlain in 1484 he appears to have taken his book with him. He continued to interest himself in the tangled affairs of the Goldsmiths' Company and in 1492 was elected to their new office of controller. It was during this time that he copied into his own book, from the Goldsmiths' book of ordinances, a number of the oaths to be taken by officers of the craft. It was also at this time (perhaps when he no longer had easy access to the mayoral lists maintained in the chamberlain's office) that Miles Adys had a London chronicle (ending in 1469) copied into his book. He appears to have died in 1497 or soon after and his book passed to a succession of private owners.⁴⁶ Here is a manuscript which contains a London chronicle, commissioned and used by a London civil servant in his role both as city chamberlain and as controller of the Goldsmiths' Company. Miles Adys, together with his book, moved easily between the two bureaucracies of City and craft.

The second 'bureaucratic' London chronicle was associated with the Grocers' Company. This volume (Oxford, Bodleian Library, MS Rawlinson B 359) is about the same size as Miles Adys's book, but it is much less opulent. The manuscript contains just two items largely written in the same hand: the first seventeen folios contain a brief London chronicle and the remaining eight folios contain the names of the wardens of the Grocers' fraternity starting in 1345 together with some historical notes. Under the year 1460 the scribe of the volume notes 'ego henricus nycoll clericus maister(y) Groc(er)ie intravi in officium'.⁴⁷ In 1471 Nicholl, who had been acting as the rent-gatherer as well as the company clerk receiving a salary

⁴⁴ Reddaway and Walker, *The Early History of the Goldsmiths' Company*, pp. 275–6 and 209–12.

⁴⁵ *Calendar of Letter-Books ... of the City of London: Letter Book L*, ed. R. R. Sharpe (1912), p. 177 (fo. 160v), ordinances of the Painters.

⁴⁶ Reddaway and Walker, *The Early History of the Goldsmiths' Company*, p. 276 (a different hand has written a short account of 1496 and, still later, another hand has added a single entry for 1550. In 1701 the volume was in the possession of Algernon Capell, earl of Essex, possibly a descendant of Sir William Capel, draper and mayor of London who died in 1515 (see Beaven, *The Aldermen of the City of London*, ii. 18, 167).

⁴⁷ Oxford, Bodleian Library, Rawlinson MS B 359, fo. 22v.

of forty shillings per annum for his labours, was granted a pension of 8 marks (£5 6s 8d).⁴⁸ He seems to have taken particular care of the Grocers' garden and personally planted the parsley there.⁴⁹ The lists of the mayors and sheriffs, and of the wardens of the Grocers, are continued in a single hand until 1498, and the lists are then maintained in a variety of hands until 1530. It may be that at this date Henry Nicholl's book left the company.⁵⁰

The third bureaucratic London chronicle is a modest volume of forty-four folios. It contains lists of religious houses, churches and chapels in the city as well as the chronicle which begins in 1220. On the last folio Richard Hedley, calling himself clerk of the chamber at the Guildhall of the city, has asserted his ownership of the volume in a seemingly sixteenth-century hand, although nothing more has yet been found about him.⁵¹ But his ownership of this volume underlines the close association between these compilers, or users, of London chronicles and the various civic bureaucracies. Apart from Sir Mathew Philip, the goldsmith who kept a copy of a London chronicle in his parlour, and the mercer Richard Myton, who may have owned Harley 565 in the mid sixteenth century, we know of no other privately owned London chronicles. Their strict ordering by mayoral year and their bald historical content (although the chronicles become more verbose in the course of the fifteenth century) made them utilitarian rather than entertaining. They seem not to have occupied the domestic or household role that was the common context of copies of the *Brut* chronicle.⁵²

But in the second half of the fifteenth century, named London authors and compilers begin to emerge from the shadows, and we find Londoners, who were not professional clerks like Miles Adys, Henry Nicholl and Richard Hedley but, rather, forerunners of the 'interested general reader' (and writer). Four men stand out: a draper, a haberdasher, a grocer and a mercer. The first Londoner to deserve to be called a historian since Arnald FitzThedmar in the mid thirteenth century was Robert Fabyan, draper, master of his company and alderman, who died in 1513. Recent work on Fabyan has demonstrated that he not only wrote the *New Chronicles of England and France*, often known simply as *Fabyan's Chronicle*, but also

⁴⁸ GL, Grocers' Account MS 11571/1 fos. 125, 133; MS 11571/2 fo. 218.

⁴⁹ Nightingale, *A Medieval Mercantile Community*, p. 420; GL, Grocers' Accounts, MS 11,571 /2, fos. 18v, 69.

⁵⁰ A private indenture dated 1561 has been copied onto the first folio. By the 17th century the book had come into the possession of Peter le Neve.

⁵¹ For the Bradford Manuscript (Bradford MS 32D86/42) see McLaren, *The London Chronicles*, pp. 38–9. The text of the Bradford London chronicle is printed on pp. 149–226. Katherine Hedley, a parishioner of St. Dunstan in the West, whose will was drawn up 19 Aug. 1553, may be Richard's widow (LMA, Commissary Register 9171/13, fos. 17v–18).

⁵² Matheson, *The Prose Brut*, pp. 8–16.

The Great Chronicle of London, and his annotations to a copy of Hartmann Schedel's *Liber chronicarum* printed in Nuremberg in 1493 (LMA, CLC/270/MS03789) were so extensive as to constitute an independent piece of historical writing.⁵³ In his *Great Chronicle of London* Fabyan transformed the simple London chronicle in which events had been merely recorded into a text of analysis and comment.⁵⁴ It is clear that Fabyan had access to a wide collection of books: some he owned such as the copy of *The Nuremberg Chronicle* which he purchased for the large sum of £3 6s 8d in 1495; others he borrowed such as the *Grandes Chroniques de France* (GL, MS 244)⁵⁵ which his widow's new husband returned 'to this Citie' (i.e. to the collection of books which were kept in the 'chamber' of the Guildhall and not to the Guildhall library) three years after his death.⁵⁶ But it is clear from his writing that Robert Fabyan was able to draw on a wide range of materials, both in manuscript and in print.⁵⁷ And after his death his work was respected, acknowledged and used by later sixteenth-century scholars such as William Camden and John Stow.⁵⁸

Robert Fabyan was distinctive in being an author: he was not simply a compiler. But most of the earlier London chronicles were, in effect, compilations of entries garnered from other London chronicles, very occasionally enlivened with what appear to be personal comments or opinions. Often these chronicles are to be found inserted into larger compilations of 'useful information'.⁵⁹ It was a London haberdasher, Richard Arnold, who appears to have been the first to seize the opportunities offered by the new medium of print to produce a useful *vade mecum* aimed at London businessmen.⁶⁰ Arnold traded, probably in rather a small way, in Flanders and Calais, and in around 1502 he put together a collection of

⁵³ For recent work on Robert Fabyan, see M. T. W. Payne, 'Robert Fabyan and *The Nuremberg Chronicle*', *The Library*, xii (2011), 164–9; M. T. W. Payne, 'Robert Fabyan's civic identity', in *The Yorkist Age*, ed. H. Kleineke and C. Steer (Donington, 2013), pp. 275–86; Boffey, *Manuscript and Print*, ch. 5.

⁵⁴ Printed as *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (1938).

⁵⁵ Now LMA, CLC/270/MS00244.

⁵⁶ Ramsay and Willoughby, *Hospitals, Towns*, pp. 148–56.

⁵⁷ Boffey, *Manuscript and Print*, pp. 172–8 and, for a more detailed analysis of Fabyan's sources and value as a historian, see Boffey, 'Robert Fabyan: a merchant, reader and translator', in *The Medieval Merchant*, ed. C. M. Barron and A. F. Sutton (Donington, 2014), pp. 284–98.

⁵⁸ Boffey, *Manuscript and Print*, pp. 198–204.

⁵⁹ E.g., BL, Egerton MS 1995 (Gregory's Chronicle) and Trinity College Dublin, MS 509.

⁶⁰ For a recent analysis of Richard Arnold and his book, see Boffey, *Manuscript and Print*, pp. 11–17, 35–42, and her unpublished paper 'Networks of influence: readers, owners and makers of manuscripts and printed books, 1340–1550'. I am grateful to Professor Boffey for letting me see this article in advance of publication.

materials: a London chronicle, various legal and financial documents taken off his own desk and provided as exemplars, recipes of various kinds (like Henry Nicholl he seems also have considered the growing of parsley to be important), a poem, 'The nut brown maid', and a number of other largely useful miscellaneous documents, which he had printed in Antwerp – but for the English (mostly, but not exclusively, London) market. As many as 600 copies of Arnold's compilation (when printed by Francis Douce in the early nineteenth century it was given the title *The Customs of London*)⁶¹ may have been in circulation and it was reprinted in England by Peter Treveris in c.1525.⁶² Whether the volume made Arnold a rich man is hard to know since we do not know when he died and he left no surviving will. But there is no doubt that his printed volume was popular and must have been one of the books that Londoners were reading in the early sixteenth century. And not only reading, for some of the printed copies have additional information written onto pages which may have been left blank for that purpose.⁶³

Robert Fabyan and Richard Arnold wrote, or assembled, their books with audiences, if not exactly the same audiences, in mind. But two other London compilers seem to have put their books together for their own private satisfaction. Richard Hill began life well: he was apprenticed to the grocer John Wyngar who was mayor of London in 1504–5, but he seems not to have prospered as a grocer.⁶⁴ He married Margaret, John Wyngar's niece, and they had seven children whose details are recorded with touching care in Hill's book. The last child was born in 1526 and Richard appears to have stopped copying materials into his book around 1536. He may be the Richard Hill whose widow Margaret sought the administration of her husband's goods in July 1555.⁶⁵ His manuscript (Oxford, Balliol College MS

⁶¹ *The Customs of London, Otherwise Known as Arnold's Chronicle*, ed. F. Douce (1811). In the inventory of the goods of Richard Gyttyns drawn up in 1507 (see n. 9 above) there is listed 'one other book in English of the Customs of the City of London' which may be a copy of the Antwerp printing of Arnold's book.

⁶² Boffey, *Manuscript and Print*, p. 16. Seventeen copies of the first edition, and 18 of the second, are known to survive.

⁶³ E.g. Oxford, Bodleian Library, Douce.A.314, a copy of the 1503 edition which has copious annotations and additional recipes and religious poems; Manchester Chetham's Library copy (ref. 7.B.1 (11)) of the later edition, has an account of the execution of Anne Boleyn written as a continuation of the chronicle on p. 30.

⁶⁴ The most recent study of Richard Hill and his manuscript is by H. Collier, 'Late fifteenth- and early sixteenth-century manuscript miscellanies: the sources and contexts of MS Balliol 354' (unpublished Queen's University Belfast PhD thesis, 2000); Collier, 'Richard Hill: a London compiler', in *The Court and Cultural Diversity: Selected Papers from the Triennial Congress of the International Courtly Literature Society*, ed. E. Mullally and J. Thompson (Cambridge, 1997), pp. 319–29.

⁶⁵ LMA, Commissary Register 9171/13, fo. 71.

354) was written into a standard tall account book in a small neat hand and contains 247 diverse items including a London chronicle, a number of items copied from Richard Arnold's printed collection, religious pieces in Latin, and English recipes, but what makes Hill's book distinctive is his inclusion of over a hundred English poems, both secular and religious. These include 'How the wise man taught his son', 'The Lamentation of the duchess of Gloucester', 'Earth out of Earth' 'The nut brown maid' and the poem in 'Praise of London' attributed to William Dunbar. Hill also includes passages from Lydgate and from Gower (although not, it seems, Chaucer).⁶⁶ Richard Hill seems to have been a largely unsuccessful London grocer and he may have spent too much time reading literary texts and copying them into his book when he should have been buying and selling spices, but there were probably many more Londoners like Hill whose interests were literary and domestic rather than commercial and civic.

A slightly older contemporary of Richard Hill was John Colyns who became a freeman in the Mercers' Company in 1492. Colyns bridges the gap between the civic bureaucrats like Miles Adys and Henry Nicholl and the private literary enthusiasts like Richard Hill. Colyns hoped to be chosen as the clerk of the Mercers' Company in 1516, but he failed and his life then spiralled downwards. In 1520 he took on an apprentice as a 'vestment-maker' and the Mercers' court agreed to this since Colyns did not engage in the 'secrets of mercery' but in 'selling of printed books and other small tryffylles'.⁶⁷ He died comparatively poor in 1538/9 and his wife Alys was described as a 'pauper' when she died four years later.⁶⁸ John Colyns's book (BL, MS Harley 2252) contains two romance booklets (*Ipomydon* and the *Morte d'Arthur*) which, unlike all the other folios, were not written by Colyns himself. He chose to copy items of history, recipes, some didactic and religious verses, a London chronicle, poems by John Skelton and material relating to his parish of St. Mary Woolnoth where he was elected a churchwarden in 1526.⁶⁹ Colyns's book is not as personal a compilation

⁶⁶ The contents of Balliol MS 354 are listed by Collier in her thesis (pp. 197–213) where she draws attention to the 30 items also to be found in Arnold's book.

⁶⁷ *Acts of Court of the Mercers' Company 1453–1527*, ed. L. Lyell and F. D. Watney (Cambridge, 1936), pp. 438–9, 509.

⁶⁸ LMA, Commissary Register 9171/11, fo. 56v and Probate and Administration Act Book 9, fo. 222v

⁶⁹ Important work on BL, Harley MS 2252 has been done by Carole Meale (see her 'London, British Library, Harley MS 2252, John Colyns "Boke": structure and content', *English Manuscript Studies*, xv (2009), 65–122; and 'The compiler at work: John Colyns and BL Harley 2252', in *Manuscripts and Readers in Fifteenth-Century England: the Literary Implications of Manuscript Study. Essays from the 1981 Conference at the University of York*, ed. D. Pearsall (Cambridge, 1983), pp. 82–103).

as that of Richard Hill, in that there are no references to his family, but it was written for the use and pleasure of Colyns himself and perhaps also his household. There is no indication that he intended, as Richard Arnold had done, to publish his collection in spite of his dealing in printed books. But the books of Richard Arnold, Richard Hill and John Colyns – and doubtless there were many others like them in early sixteenth-century London – reveal the range of literary, commercial, religious and civic interests and concerns which formed the reading matter of these men.

It is clear from studying the ‘literary output’ of these sixteenth-century Londoners that they had access to a range of manuscripts and printed books. Had this always been the case? We know of some remarkable private libraries which belonged to medieval Londoners: Andrew Horn, a fishmonger by trade but a city administrator by choice, amassed (and created) a notable collection of books mostly relating to the government of England and the administration of the City. These he bequeathed to the chamber of the London Guildhall where he had worked as the City’s chamberlain for the last nine years of his life.⁷⁰ But his interests ranged more widely than the contents of these book bequests might suggest. He appears to have lent his copy of *Hugutio* to Bermondsey Abbey in return for a *liber herbarum*.⁷¹ Both books were returned. Another City administrator a hundred years later also amassed a notable collection of books which he bequeathed to the new ‘common library’ at the London Guildhall. John Carpenter, who was the common clerk of the City from 1417 to 1438, was a remarkable polymath whose influence penetrated many aspects of London life and who gathered around him a like-minded group of civil servants and bibliophiles, to many of whom he made specific book bequests in his will.⁷² Among his twenty-six named books are works of political practice and theory, religious texts including Roger Dymok’s treatise against the Lollards, Richard de Bury’s *Philobiblon* and works by Seneca. The range of John Carpenter’s book collection is notable, but notable also is the absence of any historical works or romances.

⁷⁰ For a recent discussion of Andrew Horn and his books, see Ramsay and Willoughby, *Hospitals, Towns*, pp. 149–52 and references there cited.

⁷¹ Probably a copy of *Hugutio* of Pisa (d. 1210), *Liber derivationum* (Ramsay and Willoughby, *Hospitals, Towns*, p. 224). See *English Benedictine Libraries: the Shorter Catalogues*, ed. R. Sharpe, J. P. Carley, R. M. Thomson and A. G. Watson (1996), p. 28, B 10.53–4; N. Denholm-Young, ‘Edward of Windsor and Bermondsey Priory’, *English Historical Review*, xlviii (1933), 431–43, esp. pp. 438 and 442.

⁷² See C. M. Barron, ‘The political culture of medieval London’, in *The Fifteenth Century IV. Political Culture in Medieval Britain*, ed. L. Clark and C. Carpenter (Woodbridge, 2004), pp. 111–33. John Carpenter’s will is translated in T. Brewer, *Memoir of the Life and Times of John Carpenter* (1856), pp. 131–44.

But not all Londoners were as serious in their reading habits as John Carpenter. There is evidence of small private libraries to be found in wills: in 1348 Henry Graspays, a prosperous London fishmonger who probably succumbed to the plague, left to his son Henry various chattels and household goods including his wardrobe, his armour and all his books 'de Romanse' and other books which he did not specify.⁷³ In a similar fashion William Bristow, a London cordwainer in 1367 left all his books (again unspecified) to his son Simon.⁷⁴ But in the last quarter of the fourteenth century we find a number of wealthy Londoners who all served as aldermen, and who owned extensive and varied libraries: Walter de Berneye, a mercer (d. 1377/9); Richard Lyons, vintner (d. 1381); William Walworth, fishmonger (d. 1383); and William Kyng, draper (d. 1393/4). Walter de Berneye, who came from Norwich and maintained close links with the city and county, was an extremely wealthy man who could afford to pay 100 marks to avoid taking on the task of being mayor of London.⁷⁵ And his lengthy will reflects that prosperity: he left extensive bequests to friars in London, Norfolk, Oxford and Cambridge, and to Balliol College, Oxford; and he left £40 to three named students to help them to pursue their studies at Oxford and Cambridge.⁷⁶ To William de Norton he left all his books of canon and civil law together with a *portiforium* which he had in his own custody; to Friar Thomas de Elyng he left 10 marks, his book called *Summa de Abstinencia*,⁷⁷ and a *Legenda Sanctorum*, which was in his house in London. Whereas Berneye appears to have had a scholarly turn of mind, the vintner Richard Lyons, who was murdered during the Peasants' Revolt in 1381, had a more practical collection of books: a manual containing various treatises,

⁷³ Cavanaugh, 'A study of books', p. 381; *Husting Wills*, ed. Sharpe, i. 627; LMA, Husting Roll 78(28).

⁷⁴ *Husting Wills*, ed. Sharpe, ii. 105; LMA, Husting Roll 95 (192). William served as a warden of the Cordwainers in 1351, Sharpe, *Calendar of Letter Books ... Letter Book F*, pp. 238–9, but fell out with the wardens of the craft in 1365, *Calendar of Plea and Memoranda Rolls ... 1364–1381*, ed. A. H. Thomas (Cambridge, 1929), p. 22.

⁷⁵ *Calendar of Letter Books ... of the City of London: Letter Book G*, ed. R. R. Sharpe (1905), pp. 234, 240.

⁷⁶ *Husting Wills*, ed. Sharpe, ii. 205–6; LMA, Husting Roll 107 (164). The copy of Berneye's will which was proved at Lambeth is printed in full in J. L'Estrange, 'Early Norfolk wills from the Norwich Registry', in *The Norfolk Antiquarian Miscellany*, ed. W. Rye (3 vols., Norwich, 1877), i. 345–412, esp. pp. 400–3. One of the three young men named in Berneye's will, John de Folsham, obtained a BTh at Oxford and became a Benedictine monk at Norwich Cathedral Priory and prior of Yarmouth in 1444 (A. B. Emden, *A Biographical Register of the University of Oxford to AD 1500* (3 vols., Oxford, 1957), i. 704).

⁷⁷ The *Liber, or Summa, de Abstinencia* may be the preaching manual attributed to Nicholas de Bayard. I am very grateful to Julia Boffey for help with identifying this, and other volumes, mentioned in London wills.

a book of chancery writs, an English version of the *Legenda Sanctorum* and a French book called *Breton* which was probably a law book: a summary of English law sometimes called *Britton*.⁷⁸ William Walworth, who was mayor during the Revolt of 1381, was knighted by the king for his help in suppressing the rebels. Walworth came from a bookish family: his brother was a clerical lawyer from Oxford who was a canon of York and spent time at the Papal Curia. To this brother William left fourteen canon law books on condition that after his death the books should be distributed to those who would pray for his soul, an early form of the 'common-profit books' discussed earlier.⁷⁹ Walworth also left books to the London Charterhouse and a two-volume copy of Nicholas of Lyra to the London house of Austin Friars. Walworth, like Berneye, had an interest in the universities and he left four religious books to New College Oxford, including a bible and a glossed copy of the Letters of St. Paul. William Kyng, the draper and alderman who died in 1394, was not quite in the class of William Walworth, but his will demonstrates that he was very prosperous. To the rector and parishioners of his parish church of St. James Garlickhithe he left two books, both written in French, a bible and a *Liber Regalis*⁸⁰ which he specified were to be chained in a convenient place in the same way that a bible had been chained before the image of the Virgin in the New Work of the church of St. Paul in London. Kyng specified that anyone coming at a suitable time should be allowed to read the books without taking them away and in return they were to pray for him and for his brother Robert Luton, his mother and father and all the faithful departed.⁸¹ Robert Luton, who was to act as an executor, was also left 100 shillings, all Kyng's armour and all the books not otherwise bequeathed. It is notable that Kyng presumed that the parishioners of St. James Garlickhithe would be able to make use of books written in French and consequently he provided them with a very small public library in their parish church.

⁷⁸ The contents of his library, kept in his 'comptour' or office, are known from an inventory of his goods made after he was impeached in the Good Parliament of 1376 (see A. R. Myers, 'The wealth of Richard Lyons', in *Essays in Medieval History Presented to Bertie Wilkinson*, ed. T. A. Sandquist and M. R. Powicke (Toronto, 1969), pp. 301–29, esp. p. 327).

⁷⁹ Cavanaugh, 'A study of books', p. 905; *Biographical Register ... Oxford*, p. 1978. William also left his brother a considerable amount of silver plate. The will (TNA: PRO, PROB 11/1 fos. 7–8) is printed in S. Bentley, *Excerpta Historica or Illustrations of English History* (1831), pp. 138–41.

⁸⁰ I am grateful to Julia Boffey who has suggested that this volume may be a medical work: the *Regalis dispositio* or *Liber regalis*, based on a work of Constantinus Africanus called the *Liber pantegni*.

⁸¹ LMA, Husting Roll 123(41). Kyng's will is also enrolled in LMA, Commissary Register 9171/1, fo. 323.

When we move into the fifteenth century we begin to find Londoners below the aldermanic class owning substantial collections of books, or small private libraries. Thomas Walyngton, a London draper, left at least fourteen books as well as further 'libros et quaternos'. Most of the books were for liturgical use, but his collection included a two-volume bible, a copy of the *Pars Oculi*, a book called 'Sydrak' and other books of decretals and law books (Britonem).⁸² Nicholas Hotot, a woolmonger who died in 1404, left four books: copies of the *Brut*, *The Prick of Conscience* and the *Speculum Humanae Salvationis* and also a primer.⁸³ But the book owner in fifteenth-century London who has attracted particular attention is the tailor, John Brynchele, who is the earliest known London owner of a copy of *The Canterbury Tales* which he bequeathed in his will drawn up in 1420. Brynchele who began life in Southwark, by 1398 had become the clerk of the Tailors' fraternity. He may have copied manuscripts as well as owned them. In his will he bequeathed to John Broun (who may have been a tailor) a Latin copy of Boethius' *Consolation of Philosophy* which, Brynchele records, he had received as a pledge for an English version of the same work. Brynchele also left to David Fyvyan, the rector of his parish church of St. Benet Fink, an English copy of Boethius, and he left each of his two executors (both of whom were tailors) a book: Piers Dyker was to have 'a certain book in English which he has in his custody' and William Holgrave was to have 'my book called Talys of Caunterbury'.⁸⁴ Apart from Fyvyan, who was a bookish clergyman,⁸⁵ the three recipients of Brynchele's books were tailors and quite modest men. Brynchele may have made copies of these popular works to supplement his income, or possibly even for the communal enjoyment of groups of tailors meeting in Tailors' Hall. But in Brynchele's will we glimpse, perhaps, a circle of book-making and book-using friends (who all, incidentally, owned fighting equipment as well as books) focused on the

⁸² Cavanaugh, 'A study of books', p. 903; TNA: PRO, PROB 11/2a, fos. 25v–28. The *Pars Oculi* was the third volume of the *Oculus Sacerdotis* of William of Pagula written between 1320 and 1326. It was a manual for the use of priests in the confessional. 'Sydrak' is probably a copy of *Sidrak and Bokkus*, a general book of knowledge in question and answer format. There are French and Middle English versions of this popular work (see *Sidrak and Bokkus*, ed. T. L. Burton (2 vols., 1998–9)).

⁸³ For Nicholas Hotot, see R. A. Wood, 'Life and death: a study of the wills and testaments of men and women in London and Bury St. Edmunds in the late fourteenth and early fifteenth centuries' (unpublished University of London PhD thesis, 2012), pp. 222–5 and 284. The *Speculum Humanae Salvationis* was a compendium of religious doctrine and law compiled in the 12th and 13th centuries.

⁸⁴ LMA, Commissary Register 9171/3, fo. 64v.

⁸⁵ For David Fyvyan, see M. C. Erler, *Women, Reading and Piety in Late Medieval England* (Cambridge, 2002), pp. 62–7.

notable fraternity of the Tailors' craft. Moreover in 1431 William Holgrave was an executor of the will of Martin Kelom, a mercer with a considerable collection of books, and Piers Dyker four years later was the executor for Kelom's widow, Margaret.⁸⁶ Kelom, like Brynchele, seems to have been a writer as well as a book collector. In 1404 he was paid 3s 4d by the Mercers for writing out the company ordinances.⁸⁷ In his will he left to his son James all his books of grammar, philosophy and theology, except his primer which he left to his daughter Johanna. In a separate clause in his will Kelom left James 'omnes libros meos anglicanos' together with all his defensive armour although he was to have nothing aggressive such as swords or daggers. One wonders why Martin Kelom made this stipulation. As it turned out his son James became a clerk in chancery where he probably made good use of all his father's books.⁸⁸ So we can detect here a circle of book makers and users who were not especially wealthy like Walworth and Berneye, but who had small collections of books which they valued and shared.

But by the time Martin Kelom died it was no longer necessary to own books to have access to them. We have already noted how Andrew Horn was able to borrow books from the library of the Cluniac house at Bermondsey. Richard Whittington paid the enormous sum of £400 towards the costs of the new library building at the house of the London Greyfriars and this impressive new building, some thirty-nine metres in length, occupied most of the north side of the great cloister. It was completed between 1411 and 1414. The Londoners had a special affection for the Grey Friars, and Whittington's willingness to donate so much towards the new library may suggest that its contents were considered to be of use to lay Londoners as well as to the friars themselves.⁸⁹ At the time of the Dissolution, John Leland recorded forty-four books in the library, but there are likely to have been many others.⁹⁰ Walter Sherrington, a prebendary of St. Paul's

⁸⁶ Kelom's will is LMA, Commissary Register 9171/3, fos. 290r–291r; Margaret Kelom's will is LMA, Commissary Register 9171/3, fo. 395v.

⁸⁷ *The Medieval Account Books of the Mercers of London*, ed. L. Jefferson, (2 vols., Farnham, 2009), i. 176; Sutton, 'Books for worship and pleasure', pp. 107–8.

⁸⁸ J. H. Baker, *The Men of Court 1440–1550* (2 vols., 2012), ii. 959. Richard Southworth, a chancery clerk, brother of Matthew Southworth who was recorder of London 1398–1404, also owned 'quendam librum meum de Canterbury tales' (see M. Richardson, 'The earliest known owners of Canterbury MSS and Chaucer's secondary audience', *The Chaucer Review*, xxv (1990), 17–32).

⁸⁹ For a recent discussion of the layout of Whittington's library, see N. Holder, 'The medieval friaries of London: a topographic and archaeological history, before and after the Dissolution' (unpublished University of London PhD thesis, 2011), pp. 94–5.

⁹⁰ J. Röhrkasten, *The Mendicant Houses of Medieval London 1221–1539* (Munster, 2004), pp. 480–2.

Cathedral and a royal clerk who rose to be chancellor of the duchy of Lancaster in 1449, died an extremely wealthy man. During his lifetime Sherrington paid for the construction of a new library on the east side of the Pardon Churchyard cloister and stipulated that the library was to be kept open for most of the day. Loans were possible, but probably many of the 300 or so library books were chained.⁹¹ Again, although it is clear that Sherrington envisaged that most of the readers would be the large clerical population of the cathedral precinct, it is unlikely that serious lay readers would have been turned away. Access to these large ecclesiastical libraries was certainly possible, but most Londoners who wished to read books they did not own would have been more likely to resort to their parish churches where there is considerable evidence of the building up of small parochial libraries. Some of the evidence for these small libraries comes from the wording of bequests by testators such as William Kyng, who specified that his copies of the bible and the *Liber Regalis*, both written in French, were to be chained in the church of St. James Garlickhithe where they could be conveniently studied by anyone who wished to use them.⁹² And John Wakeryng, bishop of Norwich, bequeathed a glossed psalter and a copy of the *Decretals* to the church of St. Benet Sherehog in 1425 expressly ‘pro informacione parochianorum perpetuo dimittendum’.⁹³ Such bequests are to be distinguished from the bequests of liturgical books made for the use of the parish clergy during services. Apart from specific bequests of books mentioned in London wills, there also survive a number of parish church inventories compiled in the century-and-a-half before the Reformation, and nine of these London inventories record the existence of non-liturgical books such as *The Prick of Conscience* in St. Margaret Fish Street and the *Pars Oculi* at St. Nicholas Shambles.⁹⁴ Perhaps the most notable parish library was

⁹¹ On the Library, see N. Ramsay, ‘The library and archives to 1897’, in *St. Paul’s: the Cathedral Church of London 604–2004*, ed. D. Keene, A. Burns and A. Saint (2004), pp. 412–25, esp. pp. 415–17.

⁹² LMA, Husting Roll 123c (41) and see above, p. 61.

⁹³ Cavanaugh, ‘A study of books’, p. 899. John Wakeryng had been rector of St. Benet Sherehog from 1389–96.

⁹⁴ See F. Kisby, ‘Books in London parish churches before 1603: some preliminary observations’, in *The Church and Learning in Late Medieval Society: Studies in Honour of Professor R. B. Dobson*, ed. C. Barron and J. Stratford (Donington, 2002), pp. 305–26. Appendix (pp. 325–6) contains a list of London inventories before 1603. See also P. Robinson, ‘A “Prick of conscience cheyned”: the parish library of St. Margaret’s New Fish Street, London, 1472’, in *The Medieval Book and Modern Collector: Essays in Honour of Toshiyuki Takamiya*, ed. T. Matsuda, R. A. Linenthal and J. Scahill (Cambridge, 2004), pp. 209–21. Robinson notes six London parish libraries which are known to have contained non-liturgical books.

that attached to the church of St. Peter Cornhill. The original stone library building was later repaired in brick and was well-furnished with books. According to John Stow, John Leland 'viewed and commended' the books and noted copies of four volumes of biblical commentaries.⁹⁵ Two of the volumes which were once in this parish library have survived: a thirteenth-century bible and a fourteenth-century copy of the *Polychronicon*, both of which contain inscriptions.⁹⁶

There were certainly libraries at the four Inns of Court: the first certain reference to such a library is the bequest by Edmund Pickering of six books to be chained in the 'librarie de Graysinne' in 1488.⁹⁷ The bequest included a chronicle and a French version of the *Legenda Aurea*.⁹⁸ The libraries of the Inns were not confined to law books, but they were obviously vulnerable to depletion. In 1539 it was reported that the library of the Middle Temple 'by meanes that it stode alwais open and that the lerners had not eche of them a key unto it, it was at the last robbed and spoyled of all the bokes in it'.⁹⁹ Whether Londoners would have access to these libraries at the Inns is not clear, but if no keys were required then the books in them were widely available – and vulnerable. It is much less certain that the various company halls (of which there were more than thirty by the end of the fifteenth century) were equipped with libraries. As we have seen in the cases of Henry Nicholl and Miles Adys, it is clear that the companies maintained books of record. When William Porland, the clerk of the Brewers' Company drew up his will in 1440 he left 'omnes et singulos libros per me factos quoquo modo' concerning the ordinances, rules and governance of the Brewers' craft to Robert Coket, his successor as clerk, on condition that when Coket died he should leave them to the Brewers in perpetuity.¹⁰⁰ But these were utilitarian books, and Porland chose to write his book in English so that all might understand and use it.¹⁰¹ Porland, like John Brynchele, may also have copied

⁹⁵ J. Stow, *A Survey of London: Reprinted from the text of 1603*, ed. C. L. Kingsford (2 vols., Oxford, 1908), i, 194; Ramsay and Willoughby, *Hospitals, Towns*, p. 162.

⁹⁶ N. R. Ker, *Medieval Libraries of Great Britain: a List of Surviving Books*, 2nd edn., Royal Historical Society (1964), p. 221. The bible is GL, MS 4158A; the *Polychronicon* is BL, Royal MS 13.D.i. See also Boffey, 'Robert Fabyan', p. 291.

⁹⁷ Ramsay and Willoughby, *Hospitals, Towns*, pp. 130–48.

⁹⁸ Ramsay and Willoughby, *Hospitals, Towns*, pp. 134–6.

⁹⁹ Ramsay and Willoughby, *Hospitals, Towns*, pp. 147.

¹⁰⁰ LMA, Commissary Register, 9171/4, fo. 40. On Porland, see C. Metcalfe, 'William Porland clerk to the Craft and Fraternity of Brewers of London 1418–1440', *Transactions of the London and Middlesex Archaeological Society*, lxiv (2013), 267–84. Only one of Porland's books now remains: GL, MS 5440, known as 'The Brewers' Book'.

¹⁰¹ See *A Book of London English 1384–1425*, ed. R. W. Chambers and M. Daunt (Oxford, 1931), pp. 138–9.

out 'romances' or the works of Chaucer. We cannot know whether any of Brynchele's texts found a home at Tailors' Hall, or only in the hands of his chosen friends. There is evidence for the existence of libraries at the hall of the Barber-Surgeons (from 1481) and at the College of Physicians, but in 1558 the Mercers' Company decided to turn a little buttery in their parlour into a library, which may suggest that they did not have one before.¹⁰²

Apart, however, from these semi-private libraries, Londoners had a 'common' or 'public' library adjacent to their newly rebuilt Guildhall. It seems likely that the establishment of a common library near the Guildhall was the brainchild of some of the men whom we have already encountered: Richard Whittington, the generous donor of the new library at Greyfriars, John Carpenter, the City's common clerk who put together one of the most notable private libraries in London and John Colop who appears to have been an instigator of the scheme of 'common-profit books'. It was Whittington's money which largely funded the building of the new common library in the years between his death in 1423, and 1425; John Carpenter was Whittington's principal executor who saw to the building of the library and, in due course, by his own bequest, furnished it with many books; and John Colop assisted Whittington's executors in distributing his bequests and in return for his hard work was allowed to occupy a property adjacent to Whittington's college and almshouse.¹⁰³ But some of the finance was provided by the executors of another mercer, William Bury. He is a comparatively obscure figure, but one of his executors was Thomas Chaucer, the son of Geoffrey Chaucer, who may have sought to use the library to promote his father's works.¹⁰⁴ It has been suggested that John Carpenter was the scribe who made copies of Chaucer's *Troilus and Criseyde* and Gower's *Confessio Amantis* so even if 'romances' were not listed among Carpenter's books such works would not have been unknown to the founders of the common library at Guildhall.¹⁰⁵

We know more about the library building than we know about its contents. The fourteenth-century college on the south side of Guildhall chapel was moved east into buildings on Basinghall Street and the new library building was constructed on the east side of Guildhall Yard. John Stow recorded that the library was built of stone, roofed with slates and ornamented with the arms of Whittington and with the initials of William

¹⁰² Ramsay and Willoughby, *Hospitals, Towns*, pp. 116, 165–9.

¹⁰³ J. Imray, *The Charity of Richard Whittington* (1968), pp. 14, 20–1, 30.

¹⁰⁴ Bury died in 1422 but there is no reference to books or libraries in his will (LMA, Commissary Register 9171/3, fo. 107, printed by G. Smith, 'William Bury, John White and William Grove', *Guildhall Miscellany*, vi (1956), 2–6).

¹⁰⁵ Mooney and Stubbs, *Scribes and the City*, p. 86.

Bury. It had three chambers on the ground floor and a large room above housing the books which were chained to the shelves. There were desks, lighted by four south-facing windows.¹⁰⁶ There are no surviving catalogues of the medieval library, but we know of a few bequests of books and there are a few surviving manuscripts. In 1425, very soon after the establishment of the library, the grocer and alderman William Chichele, whose brother Henry was the archbishop of Canterbury, left £10 'to be bestowyd on bokes notable to be layde in the newe librariye at the Gildhall at London for to be memoriall for John Hadle, sometyme meyre [1379–80, 1393–4, died 1410] and for me there while they mowe laste'.¹⁰⁷ Richard Cordon, who had been born in the parish of St. Dunstan in the West and owned a house in Silver Street, had a very successful ecclesiastical career and when he died in 1452 he instructed his executors to dispose of the residue of his goods, but not to interfere with the gifts he had made in his lifetime to 'the common library' of London, or the libraries of Oxford University and Wells (where he had been a canon) or with the goods he had left in chests in St. Peter in the East in Oxford and St. Dunstan in the West in London.¹⁰⁸ Hugh Damlet, who was the rector of the wealthy and important parish of St. Peter Cornhill for thirty years, amassed a considerable collection of books which, when he died in 1476, he bequeathed to colleges in Cambridge, Syon Abbey, Sherrington's library at St. Paul's Cathedral and the 'common library at the Guildhall in the city of London' which was to have copies of Aquinas' *Summa contra gentiles* and of Bartholomew the Englishman's *De proprietatibus rerum*.¹⁰⁹ The last known bequest of books to the Guildhall library is to be found in the will of John Graunt, a priest who served in the nearby parish church of St. Michael Bassishaw. In his will, drawn up in 1517, he left two books to the 'library at yeld hall', a *Medulla gramatice* (a Latin/English dictionary) and 'a nother boke wretyn with sequens, pistilles and gospelses, bownde in bordis and to be tied with a cheyn in the forseid librariy' (epistles and

¹⁰⁶ Stow, *Survey*, ed. Kingsford, i. 274–5; D. Bowsher, T. Dyson, N. Holder and I. Howell, *The London Guildhall* (2 vols., 2007), i. 208–10; J. E. Price, *A Descriptive Account of the Guildhall of the City of London, its History and Associations* (1886), pp. 138–9.

¹⁰⁷ *The Register of Henry Chichele, Archbishop of Canterbury 1414–43*, ed. E. F. Jacob (4 vols., Oxford, 1937–47), ii. 340. Chichele had been one of John Hadle's executors. Robert Chichele, the brother of Henry and William, was also a grocer and alderman. He was mayor of London in 1411–12 and 1421–2 and was a patron of Thomas Hoccleve (for his biography, see *The History of Parliament: the Commons 1386–1421*, ed. J. S. Roskell, L. Clark and C. Rawcliffe (4 vols., Stroud, 1992), ii. 560–62).

¹⁰⁸ Emden, *Biographical Register of the University of Oxford*, pp. 486–7; *Registrum Cancellari Oxoniensis 1434–1469*, ed. H. E. Salter (2 vols., 1932), i. 299–311, esp. p. 307.

¹⁰⁹ Ramsay and Willoughby, *Hospitals, Towns*, pp. 162–4. Damlet's will is LMA, Commissary Register, 9171/6, fo. 189.

gospels for the mass with the sequences, i.e. protracted melodies sung to the final syllable of the alleluia which preceded the gospel).¹¹⁰ John Graunt, who was clearly a reflective and ascetic priest, connects us back to two of the other book-using London circles which we have identified. He seems to have owned a common-profit book in which he inscribed his name in 1493¹¹¹ and one of his executors was the mercer, John Colyns who compiled his own commonplace book.¹¹²

The library was closely connected to the chapel and college at Guildhall which were considered to be a corporate chantry and, as such were forfeited to the crown in 1547. The City decided to buy back these buildings 'so near adjoining to their common Guildhall' and in 1550 paid £456 13s 4d for the buildings and the land but without the bells, plate and ornaments which had already been removed by the court of augmentations. Although the chapel was restored for religious services, the college and library were not. In January 1549, William Cecil (later Lord Burghley) who was, at the time, secretary to Protector Somerset, was permitted to borrow

all such books of St. Augustine's works and other as he now desireth that remain in the Guildhall chapel with this gentle request to be made to him upon the delivery of the same: that this house trusteth that he, having perused them, will restore them to the said library there to remain to such use as they were provided for.¹¹³

The request was probably too gentle. John Stow reported that 'three Carries' were needed to carry away the books 'but they were never returned'.¹¹⁴ In 1553 the court of aldermen had realized that the books were gone for ever and so they sold the lecterns (desks) and leased the building to Sir John Ayliffe, the keeper of the nearby Blackwell Hall as a common market for the sale of cloths.¹¹⁵ John Stow reported that the building was 'now lofted through, and made a store house for clothes'.¹¹⁶

But a few of the books survived the sequestration and, indeed, some others may still perhaps be on the shelves of the library at Burghley House.

¹¹⁰ Graunt's will is printed in *London Consistory Court Wills 1492-1547*, ed. I. Darlington (London Record Society, iii, 1967), p. 23, and see Ramsay and Willoughby, *Hospitals, Towns*, pp. 164-5.

¹¹¹ Lambeth Palace Library, MS 472 (see M. C. Erler, 'A London anchorite, Simon Appulby: his *Fruyte of Redempcyon* and its milieu', *Viator*, xxix (1998), 227-9, esp. 232-4).

¹¹² For Colyns, see above, p. 58.

¹¹³ LMA, Letter Book Q, fo. 276r.

¹¹⁴ Stow, *Survey*, ed. Kingsford, i. 275.

¹¹⁵ LMA, Repertory xii. 1, fo. 207, 209v; Letter Book R, fo. 58. See C. M. Barron, *The Medieval Guildhall of London* (1974), pp. 40-1.

¹¹⁶ Stow, *Survey*, ed. Kingsford, i. 275.

What did medieval London merchants read?

The British Library has a fourteenth-century copy of Thomas Aquinas's *Sentences* (BL, Harley MS 32) with an inscription (fo. 253r) 'liber emptus pro xx s do hunc librum catenandum in libraria de gyldhalle civitatis London', but the name of the generous donor is missing. The modern Guildhall Library was able in 1926 to purchase a thirteenth-century copy of the *Aurora* by Petrus de Riga (now GL, MS 3042) which has an inscription recording 'Hunc librum donavit Magister Johannes Martil librarie comuni Guyhalde Civitatis londoniarum'.¹¹⁷ John Martell, who died c.1430, was a fellow of Oriel College, Oxford and owned a considerable library, most of which he gave to his college, so it is unclear how he came to be a benefactor of the Guildhall library.¹¹⁸ Charles Welch, who was appointed to the principal post at Guildhall Library in 1888, in the following year published an account of the library and its work in which he noted that William Blades, the Caxton scholar, in 1861 had visited Mr. C. H. H. Sotheby in his set in The Albany where he had seen a manuscript chronicle of England with a fifteenth-century inscription recording 'iste liber p(er)tinet ad bibliothecam Guyhalde London'.¹¹⁹ This chronicle may yet come to light.

The introduction of printing in England by the mercer William Caxton in the 1470s enormously enlarged the amount of reading material available and Londoners seem to have acquired copies of Caxton's publications with enthusiasm. John Graunt in 1517 was able to leave printed missals to the Jesus chapel in St. Paul's and to the parish church of St. Ethelburga, and a printed *Legenda* (a book of lessons) to St. Michael's Crooked Lane.¹²⁰ It may be, however, that the advent of printing has led us to place too much emphasis on the reading of books. It is important to remember that much, perhaps most, of the reading of Londoners would have been out of doors, in the streets, and in public buildings where written texts formed part of the cityscape of London. Inside churches there were tablets hanging on the walls commemorating benefactors and soliciting prayers. Many burial sites were enhanced by a written eulogium about the deceased which would hang above the grave. Caxton provided such a eulogium to hang near the tomb (a simple grave slab set into the floor) of Geoffrey Chaucer in Westminster Abbey.¹²¹ Notices were pinned to the doors of churches. Explanations about

¹¹⁷ Ramsay and Willoughby, *Hospitals, Towns*, p. 161.

¹¹⁸ Emden, *Biographical Register of the University of Oxford*, p. 1231; Cavanaugh, 'A study of books', p. 572.

¹¹⁹ C. Welch, 'The Guildhall Library and its Work', *The Library*, i (1889), 320–34, esp. p. 323 n. 3.

¹²⁰ Darlington, *Consistory Court Wills*, p. 23.

¹²¹ See W. J. B. Crotch, *The Prologues and Epilogues of William Caxton* (Oxford, 1928), p. 37.

the wrongdoings of offenders were attached to the pillories. Inside the Guildhall were displayed the names of those who had transgressed civic regulations, both commercial and spiritual. Such public displays were seen as a form of punishment and as a means of warning others against those who were duplicitous. And increasing use was made of the political bill, advocating a particular cause or vilifying a political enemy, which would be posted on church doors or displayed in windows. Attempts were made to suppress such illegal bill casting, but they were largely ineffective. And in addition to the political bill casting which tended to attract the attention of chroniclers and the wrath of the civic authorities, there were also modest bills posted by lowly Londoners concerned about local issues. In 1412 John Leek, a tawyer, and a clerk, William Sutton, wrote a bill on paper and in English, protesting about the enclosure of 'oure grounde' on Tower Hill and attached it with wax to the gate of the offending garden. What is remarkable is not that a letter of protest (and threat) was posted on a garden gate but rather that a copy of such an ephemeral document has survived – in the records of the London mayor's court.¹²² There must have been many such written documents, some subversive and some probably simply commercial, posted up around the city, and their existence, written in English using the cheap medium of paper, and commissioned by men as low down the social scale as a tawyer, suggests the pervasive nature of civic literacy. There would be no point in posting bills if no one could read them.

So, the study of the surviving manuscripts, whether historical, literary, religious or simply practical, and the analysis of books mentioned in London wills and in inventories, can only provide us with a partial view of the reading habits and tastes of Londoners. The paper bill posted up by the self-appointed 'trewe men' of Tower Hill, serves to remind us that much, if not most, of the reading of medieval Londoners, whether merchants or craftsmen, would have been random and inadvertent. Then, as now, we are rarely in control of what we read.

¹²² Chambers and Daunt, *London English*, pp. 118–9; *Calendar of Select Pleas and Memoranda of the City of London 1381–1412*, ed. A. H. Thomas (Cambridge, 1932), p. 313. William Sutton appears to have been the clerk of William Pisthorne, the rector of St. Andrew Hubbard who, in his will drawn up in Sept. 1413, left him two *portiforia*, one written 'de littera currente' and the other 'notatum' (TNA: PRO, PROB 11/2A, fo. 221).

4. 'For quicke and deade memorie masses': merchant piety in late medieval London*

Christian Steer

On 27 November 1481, a licence was issued to the executors of Thomas Kent (d. 1469) clerk of the king's council and parishioner of St. James Garlickhithe where

in fulfilment of the intention of the said Thomas, who considered that the seven chaplains of the chantries in the church of St. James aforesaid conversed more among laymen and wandered about rather than dwelt among clerks as was decent, to found a perpetual commonalty of the said chaplains¹

The 1548 chantry certificates suggest at first glance that the foundations of these chantries in St. James Garlickhithe by wealthy city merchants were no different from those elsewhere.² These good works were bequeathed by the well off for the benefit of their souls and for the common good of the parish; substantial endowments were bequeathed to the rector and churchwardens – and their successors – to provide salaries for ancillary chaplains, repairs to the property and charitable enterprises for the poor. And in return the

* It is a pleasure to contribute to a volume in honour of J. L. Bolton. It was Jim Bolton, as one of a quartet of inspiring teachers, who fed my enthusiasm for the middle ages and in particular life (and death) in medieval London. This ultimately led to my own interest in the commemoration of the dead, their monuments, chantries and the series of different strategies employed to be 'better remembered'. I am grateful to Justin Colson, David Harry, Graham Javes and Anne Sutton for their advice, and to Caroline Barron and Clive Burgess for their comments on an earlier draft. I am also grateful for the suggestions of delegates at 'Medieval merchants and money: a conference in celebration of the work of Professor James L. Bolton' (Nov. 2013) and at the session on 'Sacred spaces, material culture and social change in western Europe (13th–17th centuries)' at the 12th International Conference on Urban History, Lisbon (Sept. 2014).

¹ *CPR 1476–85*, p. 252. I thank Jonathan Mackman for his photographs of this document. Kent was one of a number of important parishioners. For his remarkable career, see the *ODNB* entry by R. Virgoe, 'Kent, Thomas, *b.* in or before 1410, *d.* 1469', and David Stocker's recent essay, 'Wool, cloth and politics 1430–1485: the case of the merchant stockers of Wyboston and London', in *The Medieval Merchant*, ed. C. M. Barron and A. F. Sutton (Donington, 2014), pp. 127–45.

² *London and Middlesex Chantry Certificate 1548*, ed. C. J. Kitching (London Record Society, xvi, 1980), pp. 9–10.

benefactors of St. James were to be commemorated and remembered in perpetuity. But these similarities in form mask variations in the distribution of such benefactions across medieval London: there were particular ‘hot spots’ where local characteristics and influences led to a greater popularity of commemorative activities in certain parishes than in others. This essay argues that the remarkable wealth of the London vintners in the fourteenth century created a distinctive locus in their parish of St. James Garlickhithe, where wealthy and politically important men had their city mansions.³ This case study will show that public displays of piety were made in this particular church on a notably spectacular scale and where, significantly, different forms of commemoration were brought together to serve the interests of the living and the dead.⁴ The function of the tomb as an *aide memoire* for prayer needs little rehearsal but at St. James a synergized relationship between funerary monuments and the Offices of the Dead affords a rare opportunity to examine the way in which the commemorative jigsaw was applied. Such enterprises were to enable these merchant princes to reach ‘the Saints in Paradise’ through charitable acts and commemoration within their parish.⁵ It is the purpose of this essay to examine the characteristics of this hot spot of urban commemoration and to examine the reasons why Thomas Kent went to such lengths to reorganize a ‘perpetual commonalty’ – a pseudo college – in this particular city church.

The parish and church of St. James Garlickhithe

St. James Garlickhithe was one of many riverside parishes with direct access to trade, commerce and to the royal courts at Westminster and Greenwich

³ A. Crawford, *A History of the Vintners’ Company* (1977), pp. 42–3.

⁴ For the parish in medieval London we are indebted to the work of Clive Burgess (see in particular his ‘Shaping the parish: St. Mary at Hill, London, in the fifteenth century’, in *The Cloister and the World: Essays in Medieval History in Honour of Barbara Harvey*, ed. J. Blair and B. Golding (2nd edn., Oxford, 2003), pp. 246–86; and ‘London parishioners in times of change: St. Andrew Hubbard, Eastcheap, c.1450–1570’, *Journal of Ecclesiastical History*, liii (2002), 38–63, esp. pp. 46–52). Other studies include H. Combes, ‘Piety and belief in 15th-century London: an analysis of the 15th-century churchwardens’ inventory of St. Nicholas Shambles’, *Transactions of the London and Middlesex Archaeological Society*, xlvi (1997), 137–52. An innovative and insightful approach to mercantile commemoration practice is provided by D. Harry, ‘William Caxton and commemorative culture in medieval England’, in *The Fifteenth Century XIII. Exploring the Evidence: Commemoration, Administration and the Economy*, ed. L. Clark (Woodbridge, 2014), pp. 63–79.

⁵ The wills for the vintners John Longe (d. 1363) and his son Roger (d. 1376) both direct their souls to ‘the Saints in Paradise’, the formulaic destination applied to such wills written in French (LMA, CLA/023/DW/01/090 (John Longe) and CLA/023/DW/01/103 (Roger Longe)).

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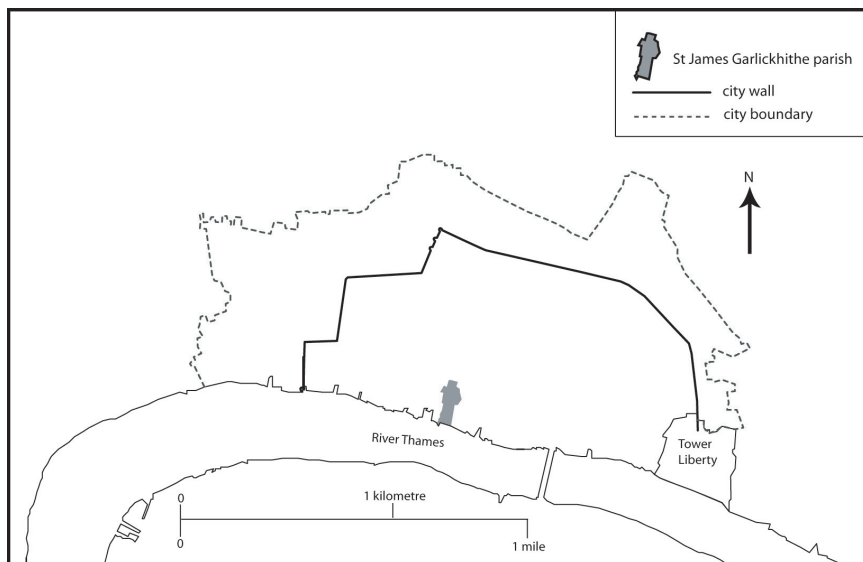


Figure 4.1. The city of London in the later middle ages, and the parish of St. James Garlickhithe (Olwen Myhill/Centre for Metropolitan History)

(Figure 4.1).⁶ The parish, on the northern banks of the Thames between St. Martin Vintry to the east and St. Michael Queenhithe to the west, was popular among the city merchants of medieval London who resided in richly furnished mansion houses in the parish. One notable resident, the Flemish merchant Richard Lyons (d. 1381), lived in a townhouse filled with luxurious tapestries, leopard skins and ermine with hanging curtains of red and blue, embroidered with lions in his bedchamber. One item of immense luxury was a pavilion set over Lyons' bathtub which provided privacy during his ablutions.⁷ Courtiers such as Thomas Kent were also resident in St. James together with members of the aristocracy such as William Herbert, earl of Huntingdon (d. 1491), who, with his wife Katherine – illegitimate daughter of Richard III – was another important parishioner

⁶ W. Durrant Cooper, 'St. James Garlickhithe', *Transactions of the London and Middlesex Archaeological Society*, iii (1871), 393–403, at p. 401; M. B. Honeybourne, *A Short Account of the Church of St. James Garlickhithe*, *E.C. 4* (1924), pp. 3–4. It was through the garlic trade that the parish received its suffix (J. Stow, *A Survey of London. Reprinted from the text of 1603*, ed. C. L. Kingsford (2 vols., Oxford, 1908), i. 249–50). There has yet to be any comprehensive archaeological survey of the site.

⁷ A. R. Myers, 'The wealth of Richard Lyons', in *Essays in Medieval History Presented to Bertie Wilkinson*, ed. T. A. Sandquist and M. R. Powicke (Toronto, 1969), pp. 301–29.

of St. James Garlickhithe.⁸ It was in this church, alongside members of the Stanley family, that Katherine was buried, probably shortly after her father's death in 1485. Stow's record of now lost monuments reveals a mausoleum of twenty notable burials in this church, among whom were Thomas Stonor (d. 1431), MP for Oxfordshire, and the lawyer Nicholas Stathum (d. 1472).⁹ Proximity to the river also made this a popular parish among artisans such as those joiners who set up home in the parish, which provided ready access to imported timber.¹⁰

The church was rebuilt in the fourteenth century through the patronage of one principal benefactor, the vintner and former sheriff (1326–7), Richard Rothing (d. 1346).¹¹ Documentary and archaeological evidence from elsewhere in the city suggest that it was unusual for complete rebuilds of parish churches to take place during the fourteenth century: the only other known instance was at All Hallows the Less, rebuilt through the largesse of Sir John Pulteney (d. 1349).¹² Rothing and Pulteney effectively re-founded these two parish churches. There are 117 surviving wills for parishioners of St. James Garlickhithe in the period 1340 to 1500. These reveal the development of a modest-sized church, richly equipped and furnished by generations of parishioners and led by a rector served by a team of auxiliary chaplains, two clerks and up to four churchwardens.¹³ These wills reveal that Rothing's church was of conventional design with the nave and chancel separated by a rood screen.¹⁴ It was Rothing's son, John (d. 1376) – another

⁸ C. Steer, 'The Plantagenet in the parish: the burial of Richard III's daughter in medieval London', *The Ricardian*, xxiv (2014), 63–73.

⁹ Kingsford, *Survey of London*, i. 249–50.

¹⁰ J. Lutkin, 'The London craft of joiners, 1200–1550', *Medieval Prosopography*, xxv (2005), 129–65.

¹¹ Kingsford, *Survey of London*, i. 249–50. Merchants as patrons of parish benefaction, including church rebuilding, is a subject most recently discussed by C. Burgess, 'Making Mammon serve God: merchant piety in later medieval England', in Barron and Sutton, *The Medieval Merchant*, pp. 183–207.

¹² J. Schofield, 'Saxon and medieval parish churches in the City of London: a review', *Transactions of the London and Middlesex Archaeological Society*, xlv (1994), 23–146, at p. 76 (Table 1). The rebuilding of All Hallows the Less was noted by Stow in Kingsford, *Survey of London*, i. 235. Many city churches were either rebuilt or reconstructed during the 15th century's 'golden age of church rebuilding'.

¹³ The wills are to be found in the Hustings (19 wills), Commissary (71) and Archdeaconry (1) courts of London and the Prerogative Court of Canterbury (23) and Lambeth court (1). The Vintners' 'Ordinance Book' refers to two now lost wills for William Scarborough (d. c.1436–38) and Nicholas Kent (d. 1467), extracts from which were copied into this 'Ordinance Book', GL, MS 15364 fos. 53r–55r.

¹⁴ The earliest reference to the rood is found in the will of Richard Lyons (d. 1381) (LMA, MS 9171/1, fos. 79v–80r).

vintner – who completed his father’s building project with a bequest of £200 to pay for the construction of a belfry.¹⁵ The tower was already in place because it was here that John requested his own burial in the middle of the *campanille*. He left a further 20 marks for his parents Richard and Salerna to be exhumed and reburied with him. John Rothing’s chaplain, Roger Hunt (d. 1393), is the only other testator from St. James known to be buried in the bell tower asking in his own will to be interred at the feet of his dead master, for whom he acted as executor.¹⁶ The bell tower seems to have served as the western entrance to the medieval church from Garlick Hill (Figure 4.2) and was thus a highly visible place of burial. John Rothing evidently took care to ensure that the graves for himself and his parents should be seen by subsequent parishioners and visitors to St. James as they entered the church. Rothing’s bequest of £200 was also to pay for a door to the north part of the church which was probably the entrance to the north aisle from Kyroun Lane – this aisle was certainly in place by 1417 when the draper Thomas Gipping/Kipping *alias* Lincoln (hereafter referred to as Thomas Lincoln) requested his burial there.¹⁷ By c.1430 a lady chapel and south aisle had also been built.¹⁸ A notable reference to ongoing maintenance work is found in the will of the rector William Huntingdon, who died in 1455, when he left a bequest of 5 marks for the ‘renouelyng [renewing] of the quere over my grave’.¹⁹ It is unclear whether a memorial was to be carved onto the new slab over the rector’s grave but this request nevertheless reminds us of the constant renewal of floor space with new flagstones and slabs routinely put in place. Burial at St. James could only take place inside the church – there was no parish graveyard and those parishioners unable to afford the fees for intra-mural burial were instead buried in the cemeteries at St. Paul’s Cathedral.²⁰ The written records do not describe the form of monuments within St. James Garlickhithe, but from the descriptions given in the wills of parishioners, we learn that these were flat, floor-facing ‘marble stones’ and thus a mix of incised slabs and commemorative brasses.²¹

Monuments were but one means of commemoration and the generosity of these parishioners was extended through the endowment of perpetual and short term chantries, the foundation of a fraternity of St. James, and through the routine establishment of anniversary services and obits. The joint

¹⁵ LMA, CLA/023/DW/01/104.

¹⁶ LMA, MS 9151/1, fos. 13v–14r. I thank Robert Wood for this reference.

¹⁷ LMA, CLA/023/DW/01/144.

¹⁸ LMA, MS 9171/3, fos. 114v–115r (Lady Chapel) and MS 9171/3, fo. 268v (south aisle).

¹⁹ LMA, MS 9171/5, fo. 172r.

²⁰ E.g. the draper Richard Lincoln (d. 1369) (LMA, CLA/023/DW/01/97).

²¹ E.g. Thomas Say, vintner (d. 1402) (LMA, MS 9171/2, fos. 19r–19v).

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Figure 4.2. The church of St. James Garlickhithe and the surrounding streets and buildings. An extract from the *British Historic Towns Atlas, III: The City of London from Prehistoric Times to c.1520*, ed. M. D. Lobel (Oxford, 1989). By permission of the Historic Towns Trust.

benefits of this ‘spiritual armoury’ for the donor and to the community are well known²² and their juxtaposed relationship provided ‘a cult of the living

²² The relationship of the chantry with other ‘pro anima’ arrangements is best summarised in C. Burgess, ‘Chantry in the parish, or “Through the Looking-glass”’, in *The Medieval Chantry in England*, ed. J. M. Luxford and J. McNeill (Leeds, 2011), pp. 100–29. Chantry endowments in other urban centres, notably at York, are discussed by R. B. Dobson, ‘The foundation of perpetual chantries by the citizens of medieval York’ in his collected essays, *Church and Society*

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in the service of the dead’.²³ The vintner John Longe (d. 1363), for example, left £20 to the church to employ one chaplain to celebrate a three-year chantry for his soul, the souls of his parents and whomsoever his executors chose.²⁴ This priest was to be paid an annual stipend of £6 13s 4d.²⁵ The chaplain employed was probably the Master Henry who received a bequest of 13s 4d in the 1364 will of John de Cressingham (d. 1365), another wealthy parishioner. Cressingham also left 6d to each chaplain celebrating in St. James which suggests that by 1365 there were at least two priests supporting the parish liturgy, and perhaps more.²⁶ By 1375 a collective enterprise was also underway where the ‘good men’ of the parish organized the foundation of a fraternity dedicated to St. James in the church.²⁷ Members were to pay an annual membership fee of 6s 8d, there was to be a livery, an annual feast and the members of the brotherhood were to attend the funeral services of their fellows. Wardens were elected to manage the fraternity with four meetings a year to discuss fraternity business. Wealthy merchants rarely joined these community enterprises and in London such fraternities, a form of corporate chantry, co-existed alongside the privately funded chantries of the aldermanic elite. The brotherhood of St. James enjoyed particular popularity amongst the joiners who lived in the parish: many became members. One wealthy joiner, William Whitman (d. 1421), left a property to the fraternity which may have served as their hall.²⁸ It is not until 1454

in the Medieval North of England (1996), pp. 253–66. For London, see R. Hill, ‘A Chaunterie for Souls’: London chantries in the reign of Richard II’, in *The Reign of Richard II: Essays in Honour of May McKisack*, ed. C. M. Barron and F. R. H. Du Boulay (1971), pp. 242–55 and more recently, M. Rousseau, *Saving the Souls of Medieval London: Perpetual Chantries at St. Paul’s Cathedral, c.1200–1548* (Farnham, 2011), esp. ch. 1. For other case studies from medieval London, see J. Colson, ‘Local communities in fifteenth-century London: craft, parish and neighbourhood’ (unpublished University of London PhD thesis, 2011).

²³ A. N. Galpern, ‘The legacy of late medieval religion in sixteenth-century Champagne’, in *The Pursuit of Holiness in Late Medieval and Renaissance Religion*, ed. C. Trinkaus and H. O. Oberman (Leiden, 1974), pp. 141–76 at p. 149.

²⁴ LMA, CLA/023/DW/01/90.

²⁵ In 1378 Archbishop Sudbury capped the wage for stipendiary priests at 7 marks (£4 13s 4d) per year, see Hill, p. 243.

²⁶ LMA, CLA/023/DW/01/93.

²⁷ *English Guilds*, ed. L. Toulmin Smith and L. Bretano (2nd edn., Oxford, 1963), pp. 3–5. For these ‘communal chantries’ in medieval London, see C. M. Barron, ‘The parish fraternities of medieval London’, in *The Church in Pre-Reformation Society: Essays in Honour of F. R. H. Du Boulay*, ed. C. M. Barron and C. Harper-Bill (Woodbridge, 1985), pp. 13–37, esp. pp. 23–4. The St. James Fraternity is discussed further in C. M. Barron and L. Wright, ‘The London Middle English guild certificates of 1388–9’, *Nottingham Medieval Studies*, xxxix (1995), 108–45.

²⁸ LMA, CLA/023/DW/01/149. The identification of the Whitman tenement as the future Joiners’ Hall was made by Lutkin in ‘London craft of joiners’, p. 144.

that we learn of a second fraternity, for Our Blessed Lady, also at St. James. William Forest, a barber, left five torches weighing five pounds in total to this second brotherhood.²⁹ The fraternity of Our Lady came to enjoy noteworthy popularity during the latter half of the fifteenth century, with a further thirteen bequests made in the wills of parishioners who were presumably members.³⁰ In the same period, there were eight bequests to the fraternity of St. James, the last of which was made by the pewterer Peter Bishop in 1480.³¹ The foundation of these two communal chantries added another liturgical layer to an evolving commemorative infrastructure of auxiliary priests benefiting the parish community. By the time of the 1548 chantry certificates St. James Garlickhithe, with 400 parishioners, seemed much like other wealthy London parishes.³² It had enjoyed generations of bequests from its parishioners, many of whom were members of the parish fraternities. Others had paid for the rebuilding of the fabric of the church with chantry endowments set up for the good of their souls. What, therefore, was exceptional about this parish and attracted Kent's attention?

Merchant chantries

Perpetual chantries in St. James Garlickhithe were richly endowed by the merchant 'heavy-weights' of the parish. The wealthy vintner, John de Oxenford (d. 1342), was the earliest benefactor to set out the terms of a chantry foundation in St. James.³³ But three of his four executors died in quick succession before the final arrangements could be made. Richard Rothering died in 1346 (his will has not survived) but two other executors, the

²⁹ LMA, MS 9171/5, fo. 134v.

³⁰ LMA, MS 9171/5, fo. 243r (John Trogan alias White, draper, 1458); MS 9171/6, fo. 22r (John Freeman, joiner, 1468); TNA: PRO, PROB 11/5, fos. 246r–246v (Thomas Saunder, brewer, 1470); LMA, MS 9171/6, fo. 89r (Thomas Quinn, fishmonger, 1471), fos. 146v–147r (John Woodruff, joiner, 1473), fo. 191v (John Shidborough, yeoman, 1476) and fos. 370v–371r (Margaret Clapham, widow of William Chapman a woodmonger, 1484); MS 9171/7, fo. 5v (John Wavell, joiner, 1486) and fos. 96v–98v (Joan Kent, widow of Thomas Kent, clerk of the king's council, 1487); TNA: PRO, PROB, 11/9, fos. 212r–212v (Thomas Staunton, tallowchandler, 1492); LMA, MS 9171/8, fo. 70r (John Elliot, chaplain, 1494), fos. 88v–89r (John Slater, chaplain, 1495) and TNA: PRO, PROB 11/11 fos. 88v–89r (Marion Staunton, widow of Thomas, 1497).

³¹ LMA, MS 9171/5, fos. 192v–193r (Peter Hoke, joiner, 1456), fo. 259v (Henry Sweatman, joiner, 1458); MS 9171/6, fo. 22r (John Freeman, joiner, 1468), fo. 89r (Thomas Quinn, fishmonger, 1471), fo. 179r (Robert Smith *alias* Arnold, joiner, 1475); TNA: PRO, PROB 11/6, fos. 164v–166v (Joan Bromer, widow, 1476); LMA, MS 9171/6, fo. 191v (John Shidborough, yeoman, 1476) and fo. 326v (Peter Bishop, pewterer, 1480). Freeman, Quinn and Shidborough were the only testators who left bequests to both fraternities.

³² Kitching, *London and Middlesex Chantry Certificate*, pp. 9–10.

³³ LMA, CLA/023/DW/01/69.

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chaplain John Whithorn de Dounton (d. 1349) and the corn dealer Walter Neel (d. 1353), left instructions in their own wills to complete the Oxenford foundation.³⁴ From Whithorn’s will we learn that the chantry was to be served by three perpetual chaplains who were to celebrate daily the *Placebo* and *Dirige* and *De Profundis*, recited after compline, and that this was to take place at Oxenford’s tomb. This monument, where the Offices of the Dead were to be daily recited for the benefit of Oxenford’s soul, thus had a role to play in the celebration of divine service. It is unclear why the surviving executor, the fishmonger and city alderman Adam Brabazon (d. 1367), failed to complete the endowment, and the eventual foundation was not completed until 1446. On 8 February the then rector of St. James, William Huntingdon, and his two churchwardens finally received letters patent granting them the tenements and property to endow the ‘Oxenford Chantry’. The parish had not forgotten their rights and Huntingdon’s successful campaign to restore this foundation enabled, at long last, two priests to celebrate for the benefactor’s soul.³⁵ Further letters patent were granted confirming the arrangements in 1456 and in 1466.³⁶ In 1548 the Oxenford endowment provided an annual return of £17 15s and funded one priest at an annual salary of £8 13s 4d for Oxenford’s obit and alms to the poor. There was a surplus of £9 1s 8d for the parish.³⁷ The property was evidently of some value, which probably accounts for the difficulties the parish experienced in obtaining ownership.

It was in 1376 that the earliest (successful) foundation was made when John Rothing devised a portfolio of property and rents within the city of London to the rector and churchwardens of St. James who were to endow a chaplain to celebrate for his soul. This chaplain was to receive an annual stipend of £8 and any surplus income from the property was to be used, as was the custom, for repair and the maintenance of the property. In 1548 this endowment was valued at £22 12s p.a. providing an annual salary of £8 to the chaplain George Strowgar with a further £2 spent on the quit-rent to the king, payment of the costs of Rothing’s obit and alms to the poor. There was a balance of £12 12s for the parish.³⁸ Rothing had also left a further £60 for three other chaplains to pray for his soul for three years after his death. A fifth chaplain was to be employed to perform Rothing’s anniversary, for which service this rich vintner left £20.³⁹ Three years after Rothing’s death there were seven chaplains serving at St. James, namely John Barrow, Roger

³⁴ LMA, CLA/023/DW/01/77 (Whithorn) and CLA/023/DW/01/81 (Neel).

³⁵ CPR 1441–6, p. 425.

³⁶ CPR 1452–61, p. 292 and CPR 1461–7, p. 462.

³⁷ Kitching, *London and Middlesex Chantry Certificate*, p. 9.

³⁸ Kitching, *London and Middlesex Chantry Certificate*, p. 9.

³⁹ LMA, CLA/023/DW/01/104.

Hunte, William Lude, John Say, John Somerwell, John Wodeford and William Wylton.⁴⁰ Rothing's will is silent on what intercessory services were to be performed at his grave but it is noteworthy that he had specifically set out his place of burial, with his exhumed parents, within the belfry and at the western entrance to the church. They were hardly likely to be forgotten by visitors and parishioners to St. James.

It is striking that within five years of Rothing's endowment another influential parishioner from St. James, the controversial royal financier and merchant Richard Lyons, used some of his spectacular (if ill-gotten) wealth to secure his own intercession. His endowment was to be served by a further six chaplains.⁴¹ By 1381 this placed St. James within the top five city churches which could boast eleven or more ancillary chaplains.⁴² Lyons intended that his six chantry chaplains were to serve at an altar set on a raised platform before the rood for which Lyons left a further £100;⁴³ it is possible that this was the St. Katherine altar referred to in later wills.⁴⁴ But the lawsuit brought by Lyons' ex-wife, Isabella Pledour, led to delays in settling his estate, and the acquisition of much of the Lyons property by the royal princes, Edmund of Langley and Thomas of Woodstock, further complicated the executors' task.⁴⁵ By the time Thomas Lincoln, a wealthy draper living in the parish, came to establish his own perpetual chantry in St. James in 1417, the Lyons' chantry was in financial difficulties; as a result Lincoln took the opportunity of amalgamating this with his own.⁴⁶ Whether the delays during probate had prevented the completion of Lyons' foundation, or whether Lincoln may have acted on behalf of Gilbert Bonyet (Lyons' principal executor), who had died in 1398, is unclear.⁴⁷ Nonetheless, in 1548 the endowment of

⁴⁰ *The Church in London 1375–1392*, ed. A. K. McHardy (London Record Society, xiii, 1977), p. 8. There were few parishes which had more than seven chaplains. The wealthy mercer parish of St. Lawrence Jewry had, for example, as many as 16 with 10 each in St. Michael Cornhill and St. Christopher (McHardy, pp. 8–9). The average number of extra priests in the city of London in 1379 was four per parish.

⁴¹ For his biography, see R. L. Axworthy, 'Lyons, Richard (d. 1381)', *ODNB* (although the reference to Lyons' burial in St. Martin Vintry is incorrect) and Crawford, *A History of the Vintners Company*, pp. 49–53.

⁴² The other parishes were St. Lawrence Jewry (16), St. Bride (14), St. Antonin (12) and St. Magnus and St. Nicholas Cole Abbey (11 each) (McHardy, pp. 8–9).

⁴³ LMA, MS 9151/1, fos. 79v–80r.

⁴⁴ E.g. the chaplain, John Penny (d. 1431) (LMA, MS 9171/3, fo. 263v).

⁴⁵ *Calendar of Plea and Memoranda Rolls*, ed. A. H. Thomas and P. E. Jones (6 vols., Cambridge, 1926–61), iii, 151–3 and 184–5. For the royal princes, see the Lyons *ODNB* article, n. 41 above.

⁴⁶ LMA, CLA/023/DW/01/144; Kitching, *London and Middlesex Chantry Certificate*, p. 9.

⁴⁷ Bonyet's will has not survived although we learn from Stow's reference to his monument that Bonyet was buried in St. James Garlickhithe (Kingsford, *Survey of London*, i, 249).

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the Lyons/Lincoln chantry was valued at £22 8*d* of which £8 supported the annual salary of the chaplain John Barret and, after subtracting other costs and charges, the parish received a surplus of some £8 13*s* 4*d*.⁴⁸

Richard Lyons not only set out to endow a chantry he also furnished the altar: from the 1449 inventory of the parish goods, for example, we learn of a silk vestment embroidered with his rebus (lions) which he had given to the church.⁴⁹ Further, Lyons paid for two newly painted figures of Our Lady and St. John the Baptist which were to be placed on the rood-beam within the church. It was here, at the entrance to the chancel, where Lyons requested burial and where fifty torches were to burn around his body on the day of his burial. Lyons also directed that eight torches were to burn during the anniversary marking his death.⁵⁰ Lyons, like Rothing, was making sure he benefited from a public grave, to be set in a prestigious part of the church, and with appropriate funeral and anniversary rites. Lyons did not refer to his monument in his will but John Stow saw it in 1598:

His picture on his gravestone very fair and large, is with his hair rounded by his ears, and curled, a little beard forked, a gown girt to him down to his feet, of branched Damaske wrought with the likenes of flower, a large purse on his right side, hanging in a belt from his left shoulder, a plaine whoode about his necke, covering his shoulde, and hanging backe behinde him.⁵¹

Stow rarely described the appearance of any funerary monuments in his *Survey of London*, so he had evidently been impressed by this particular survival. The ‘picture on his gravestone’ can be nothing other than a commemorative brass and probably caught Stow’s eye because it had been imported from overseas: the patterning described on the gown was unusual amongst English brasses of the late fourteenth century but more common on Flemish compositions.⁵² Stow did not record the Lyons inscription but part of this was later noted in the seventeenth century by John Weever:

⁴⁸ Kitching, *London and Middlesex Chantry Certificate*, p. 9.

⁴⁹ Westminster Abbey Muniments (hereafter WAM), MS 6644. I am grateful to Matthew Payne, Keeper of the Muniments, for his discussion of this manuscript.

⁵⁰ LMA, MS 9151/1, fos. 79v–80r.

⁵¹ Kingsford, *Survey of London*, i. 249.

⁵² N. Rogers, ‘The lost brass of Richard Lyons’, *Transactions of the Monumental Brass Society*, xiii (1982), 232–6. For the import of these expensive overseas memorials to an English market, see P. Cockerham, ‘Hanseatic merchant memorials: individual monuments or collective “memoria”’, in Barron and Sutton, *The Medieval Merchant*, pp. 392–413, at pp. 393–400.

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Gemmarius Lion hic Richardus est tumulatus;
Qui fuit in rabie vulgi (ve) decapitatus.
Hic bonus extiterat cunctus [cunctis]; hospes egenorum;
Pacis et auctor [auctor] erat, dilector et urbis honorum.
Anno milleno tricentene numerato
Sic octogeno currente cum simul uno,
Plebe rea perii[t]... Morte dolosa.
Basily festo dum regnat plebs furiosa.⁵³

[Richard Lyon, a jeweller,⁵⁴ is buried here
Who was beheaded during the raging of the mob.
He was noted as being good to everyone, welcoming the poor
And he was a peace-maker, and fond of the honours of the City.
In the year reckoned as 1,000, and 300
And 80 running along with one
He perished through the people's fault ... by a doleful death
On the feast of St. Basil [14 June], while the mad people were in control]

The incomplete text, with some errors, copied down by Weever suggests this was taken from a marginal inscription placed around the Lyons effigy. The reference to Lyons' murder shows that it was his executors, the vintner Gilbert Bonyet, John Tyso, rector of Drinkstone (Suffolk), Robert Payne, rector of Layer Breton (Essex) and the London pepperer John Warde, who were the patrons of this epitaph and who chose to mark the violence of his death by recording it on the brass inscription, perhaps because he had died unshriven. So from Stow's description, the text of the epitaph and the instructions given by Lyons about his funeral and his desired obsequies before the rood, we learn that this rich alien merchant was to be remembered by an impressive and eye-catching monument of some magnificence in one of the most prestigious locations in the church.⁵⁵ For the brass to be commissioned and brought from overseas demonstrates the lengths to which the very wealthy could go in order to have a distinctive and bespoke tomb marking their burial site. But it is of particular interest that Lyons wanted his chantry service to be celebrated where he was buried, before the rood.

⁵³ J. Weever, *Ancient Funeral Monuments* (1631), pp. 406–7. I thank Jerome Bertram for his discussion on the Lyons epitaph.

⁵⁴ It was not unusual for London merchants to trade in multiple goods and Lyons evidently also dealt with precious stones.

⁵⁵ For the importance of burial before the rood, see R. Marks, 'To the honor and pleasure of almighty God, and to the comfort of the parishioners: the rood and remembrance', in R. Marks, *Studies in the Art and Imagery of the Middle Ages* (2012), pp. 798–814.

‘For quicke and deade memorie masses’

The importance of the monument during the funeral and anniversary service is not confined to the Oxenford and Lyons examples. In his own will of 1417 Thomas Lincoln directed that two torches were to burn, one at his head and the other at his feet, during his exequies. Two torches were also to burn in the same places during his annual obit.⁵⁶ The wording of the will is ambiguous and does not specify that the torches were to burn at the head and feet of his monument but for this to be successfully achieved a form of grave marker was needed. The functional role of such grave monuments is also evident in other London parish churches: at St. Mary at Hill, for example, the tomb of the grocer William Cambridge (d. 1431) was to be the centre-piece for a procession by every priest, child and clerk at Evensong on Christmas Day, each of whom was to hold a candle and to sing a respond of St. Stephen, followed by a versicle with the collect of St. Stephen.⁵⁷ For St. James Garlickhithe, we can be more certain of similar arrangements organized by Nicholas Kent (d. 1467), another vintner who was later ordained priest. His original will has not survived but it was copied into the Vintners’ ‘Ordinance Book’.⁵⁸ In this Kent described the anniversary that was to be celebrated for William Scarborough, a former master of the Vintners’ Company, on every 30 December ‘for quicke and deade memorie masses’. The terms included a *Placebo* and *Dirige* on the eve of the anniversary followed by Requiem ‘by note’ and with the ringing of bells. But perhaps most significantly of all, Kent specifically instructed that two tapers were to burn ‘aboute the Tombe of the saide Willm Scarburgh in the tyme of the saide Exequies’. Scarborough’s monument, like those of Oxenford and Lyons a century before – and probably Lincoln’s also – was to play an important part during their commemorative celebrations within St. James.

Commemoration at St. James Garlickhithe took many different forms. The inventory of the church goods, written by the rector William Huntingdon in 1449, reveals a substantial collection of vestments, altar cloths, mass books, antiphonals, breviaries, chalices, monstrances and plate

⁵⁶ LMA, CLA/023/DW/01/144.

⁵⁷ *The Medieval Records of a London City Church (St. Mary at Hill) A.D. 1420–1559*, ed. H. Littlehales (2nd edn., Woodbridge, 2002), p. 16; see also Burgess, ‘Shaping the parish’, p. 280. Cambridge did not refer to this procession in his will and it is from a note made in 1486, when the will was copied into the churchwardens’ accounts, that we learn of this annual procession to the tomb.

⁵⁸ GL, MS 15364, fos. 53r–55r. I am grateful to Graham Javes for alerting me to this reference. No relationship has yet been found between Nicholas Kent and his neighbouring parishioner of the same name, Thomas, who died in 1469. William Scarborough’s will is also now lost.

representing generations of gift-giving by parishioners.⁵⁹ A number of items bore the arms, mark or initials of the donor: the arms of Robert Chichele and his wife Elizabeth More, for example, were embroidered on the towels, vestments and altar cloths given by them to the parish.⁶⁰ But of some interest were the books owned by St. James Garlickhithe and which formed an impressive collection.⁶¹ In total there were forty-one books recorded in the inventory. Other city of London parishes had comparable but smaller libraries, the exception being St. Margaret Bridge Street where in 1472 fifty-nine books were recorded by the churchwarden Hugh Hunt.⁶² Parish inventories from elsewhere in London had smaller collections; thirty-three were recorded in the inventories from St. Peter Cheap (1431), St. Nicholas Shambles (1457) and St. Stephen Coleman Street (1466)⁶³ and slightly fewer – thirty – referred to in the 1470 inventory for St. Margaret Pattens.⁶⁴ For St. James Garlickhithe the titles of nine books were accompanied by the names of their donors recorded against their entry in the inventory.⁶⁵ One such gift was the missal given by Gilbert Bonyet to the altar of St. John the Baptist and valued at £8; Alice King, widow of the draper and alderman William, had given another missal worth £4 to Our Lady altar. In his will of 1393, William King had himself bequeathed his bible, written in French, to the parish and also his copy of *Liber Regalis*, also in French. He gave instructions that these were to be chained inside St. James' in the same way as a bible was chained before an image of Our Lady in St. Paul's Cathedral. King's intention was that these should be publicly available

⁵⁹ WAM, MS 6644. I am grateful to Clive Burgess for providing me with a copy of his transcript. The 1449 inventory is the only known record of church goods from this particular city church as the 1552 return has not survived (H. B. Walters, *London Churches at the Reformation* (1939), p. 20).

⁶⁰ WAM, MS 6644.

⁶¹ For books in London parishes, see F. Kisby, 'Books in London parish churches before 1603: some preliminary observations', in *The Church and Learning in Later Medieval Society: Essays in Honour of R. B. Dobson*, ed. C. M. Barron and J. Stratford (Donington, 2002), pp. 305–26.

⁶² P. R. Robinson, 'A "Prik of conscience cheyned": the parish library of St. Margaret's, New Fish Street, London, 1472', in *The Medieval Book and a Modern Collector: Essays in Honour of Toshiyuki Takamiya*, ed. T. Matsuda, R. A. Linenthal and J. Scahill (Cambridge, 2004), pp. 209–21, at pp. 219–21.

⁶³ Combes, 'Piety and belief', p. 138.

⁶⁴ W. H. St. John Hope, 'Ancient inventories of goods belonging to the parish church of St. Margaret Pattens in the city of London', *Archaeological Journal*, xlii (1885), 312–30, at pp. 314–15.

⁶⁵ We do not know if the names of the donors were recorded within the book or on a nearby board or table so that the readers knew who to pray for. Their names would certainly have been recorded in the Bede Roll. None of the books survive.

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and that they could be read by parishioners and visitors alike in return for prayers for his soul, his parents’ soul and that of Robert Luton.⁶⁶ From the inventory we learn that this French bible was still in use, that it was chained, as instructed, and valued at 40*d*: the relatively low value suggests considerable wear and tear during the intervening fifty years.⁶⁷ There were also four antiphonals and four organ books given by former parishioners and by chaplains: an antiphonal ‘on the parson’s side’ (presumably used in the chancel) was described as ‘Portyngdon’s gift’. Thomas Portyngton (d. 1443), was a chaplain at St. James, who bequeathed an antiphonal to the church in his will which was valued at 100*s* in the inventory.⁶⁸ This mid fifteenth-century parish library was valued in total at £154 11*s* 4*d* with comparably more liturgical and devotional books, polyphonies, song and organ books than other London parishes.⁶⁹ Merchant benefaction had endowed seven perpetual chantries at St. James Garlickhithe and provided an important library from which we learn of music in the parish, of at least one organ – perhaps two – and with divine services sung ‘by note’, probably by the chaplains themselves. Moreover it is clear that these city merchants and their executors gave to the benefactors’ tombs a central role in the commemorative services.

William Huntingdon: de facto ‘Master’ of the parish

William Huntingdon was the bastard son of John Holland, earl of Huntingdon (1388) later duke of Exeter (1397), the half-brother of Richard II.⁷⁰ This illegitimate royal kinsman was rector of St. James Garlickhithe from as early as 1407, when he was witness to the will of the vintner Henry Mitchell, until his death in 1455.⁷¹ The advowson of St. James was held by Westminster Abbey and it was during the abbacy of William of Colchester (1386–1420) – a supporter of Richard II – that Huntingdon was appointed incumbent. It was probably young William’s kinship to Richard which led

⁶⁶ LMA, CLA/023/DW/01/123.

⁶⁷ Robinson has suggested that King’s gift of a French bible was to benefit transient parishioners from overseas (Robinson, ‘A “Prik of conscience cheyned”’, p. 212).

⁶⁸ LMA, MS 9171/4, fos. 128r–128v.

⁶⁹ The books of music are discussed further in C. Burgess and A. Wathey, ‘Mapping the soundscape: church music in English towns, 1450–1550’, *Early Music History*, xix (2000), 1–46.

⁷⁰ A. B. Emden, *A Biographical Register of the University of Cambridge to A.D. 1500*, (Cambridge, 1963), p. 322.

⁷¹ LMA, MS 9171/1, fo. 176v. Huntingdon was ordained sub-deacon on 18 Dec. 1406, deacon on 19 Feb. 1407 and priest on 21 May in the same year (V. Davis, *Clergy in London in the Late Middle Ages: a Register of Clergy Ordained in the Diocese of London Based on Episcopal Ordination Lists 1361–1539* (2000)).

to his appointment as rector of St. James a position he held for almost fifty years. His will contains a number of conventional bequests for the benefit of his soul, including 6s 8d to each of the parish priests and 3s 4d to each clerk to sing for his soul between the day of his death and at his month's mind. The sum of two nobles (i.e. 13s 4d) was to be kept by one of his executors John Raymond to pay for Huntingdon's daily mass in St. James' which was to be celebrated for one year after his decease. He also bequeathed to the parish vestments and a hearse cloth for the poor and it is in Huntingdon's will that we learn of the parish Bede Roll – where he specifically asked to be included. There are few references to him in the wills of his parishioners and he was only occasionally called upon to be a witness, or serve as executor or supervisor of a will. Two notable exceptions were his appointment as supervisor to the wills of the chaplain Thomas Portyngton and William Clench parish clerk of St. James (d. 1445).⁷² Huntingdon might be considered as a disengaged incumbent but as we have already seen from his actions in 1446, this was not the case. The restoration of the 'Oxenford Chantry' was not the only occasion when the rector intervened to protect the rights of the parish. Ten years earlier, in 1436, archbishop Henry Chichele (brother of merchant Robert, one of Huntingdon's flock) was compelled to intercede and resolve a long running dispute. This quarrel, between Huntingdon and his churchwardens at St. James, with their counterparts at St. Martin Vintry, concerned the location of the anniversary for the vintner William Hervy (d. before 1436).⁷³ The matter was resolved by the archbishop who directed that two chaplains were to celebrate mass in both these Vintry churches. Twelve years later it was Hervy's executor, the vintner-priest Simon Adam (d. 1448), who completed the arrangements for the Hervy endowment in St. James Garlickhithe by setting out its terms. A portfolio of city property was enfeoffed to William Huntingdon and the churchwardens of the parish, John Hewett and John Stysede, to employ a chaplain to celebrate daily at the altar of St. Katherine. One of the existing parish chaplains, John Sherman, was appointed as the first celebrant and paid £7 a year.⁷⁴ Huntingdon was evidently a man of charisma and influence who was prepared to intercede when necessary. He was almost certainly an associate with other like-minded movers and shakers amongst the London clergy such as John Neel, master of St. Thomas of Acre (1420–63) and John Wakeryng who served as master of the hospital

⁷² LMA, MS 9171/4, fos. 128r–128v (Portyngton) and fo. 160r (Clench).

⁷³ Discussed in G. Javes, 'Priests in the Vintners' Company in the 15th century', *Transactions of the London and Middlesex Archaeological Society*, xli (2010), 191–5.

⁷⁴ LMA, CLA/023/DW/01/177.

of St. Bartholomew’s in West Smithfield (1423–66).⁷⁵ An explanation of the surprising degree of authority exercised by Huntingdon may lie in his origins for his half-brother was the prominent Lancastrian, John Holland, duke of Exeter (d. 1447), appointed as admiral of England (1435) and king’s lieutenant of Aquitaine (1439).⁷⁶ Holland served on the royal council during the 1440s and it is perhaps through his influence at court that his elder half-brother, the rector of a city church, was able to secure the sought-after Oxenford legacy.

William Huntingdon died in 1455, having served as rector of St. James Garlickhithe for almost half a century. His long service in St. James Garlickhithe, the relationship with his parishioners and his role as champion for the parish interests in 1436 and 1446 – perhaps aided by his links to members of the royal council – suggest a strong personality backed up by flair and energy. Huntingdon worked hard, and with success, for the common good of the parish. By the time of his death in 1455, his many enterprises had left the parish with a rich liturgy, substantial lay investment in the parish both in terms of the infrastructure of the church building and with endowed property, and with church goods valued at £576. He was a *de facto* master of a college which, however, lacked formal statutes. Huntingdon’s successor as rector of St. James Garlickhithe was Thomas Saintjust who served for a little under two years before his resignation.⁷⁷ On 31 May 1457 the royal councillor, Peter de Tastar (d. 1467), dean of Saint-Seurin in Bordeaux, and a Gascon by birth became the new incumbent.⁷⁸ St. James Garlickhithe was one of a number of benefices which de Tastar enjoyed together with the prebendary of Leighton Buzzard. He was later appointed a canon of Lincoln Cathedral and in 1465 de Tastar (as Peter Tastour) was appointed as provost of Beverley. He resigned as rector of St. James Garlickhithe before October 1466. How active de Tastar was in the affairs of his London parish is unknown: he requested burial in St. James if he died in London, but only if he did not die in the house of the London Austin Friars, which was evidently his first choice. This suggests that de Tastar stayed in the Augustinian house

⁷⁵ John Neel was a man of some influence (see A. F. Sutton, ‘The hospital of St. Thomas of Acre of London: the search for patronage, liturgical improvements, and a school under Master John Neel, 1420–63’, in *The Late Medieval English College and its Context*, ed. C. Burgess and M. Heale (Woodbridge, 2008), pp. 199–229). Huntingdon, with John Carpenter and Thomas Chattesworth, entered into a 98-year lease of a property in All Hallows Thames Street with Wakeryng and the brethren of St. Bartholomew’s in 1439 (*Calendar of Plea and Memoranda Rolls*, ed. Thomas and Jones, v. 14–5).

⁷⁶ For John Holland, duke of Exeter, see R. A. Griffiths, ‘Holland [Holand], John, first duke of Exeter (1395–1447)’, *ODNB*.

⁷⁷ G. Hennessy, *Novum Repertorium Ecclesiasticum Parochiale Londinense* (1898), p. 248.

⁷⁸ For de Tastar, see Javes, pp. 193–4.

when in the city of London.⁷⁹ No monument was recorded for de Tastar in St. James. In his will de Tastar left £20 for repairs and ornamentation of the church but deducted the sum of £10 that the parish owed him for repairs he had paid for at the Oxenford chantry.⁸⁰ The will suggests a man involved in, but somewhat distant from, parish affairs and it is this which may account for the disorganised state of the parish chaplains following the fifty-year stewardship of William Huntingdon. It was left to a parishioner, Thomas Kent, to set about organizing these priests who were serving St. James, as a result of the benefactions of generations of wealthy merchants. Kent provided them with one of his own tenements, adjacent to the church with a cloister attached;⁸¹ in his will he provided utensils for their use and a common chest containing £10 which was to be available as ready money and could be used as a loan whenever fuel and charcoal were to be bought.⁸² When his widow, Joan, died in 1487, she left her own bequest of £6 13s 4d to the commons of priests on condition that the commonalty of priests fulfilled her husband's foundation.⁸³ This 'commons' had grown organically: it had been paid for by the wealthy merchants of the parish, nurtured and defended by William Huntingdon and ordered and reorganised by Thomas Kent, one of the parish's most active bureaucrats.

Merchant benefaction in St. James Garlickhithe provided a portfolio of city property used to endow a total of seven perpetual chantries, which were to aid their journey to 'the Saints in Paradise'. These merchants and their executors went to some lengths to set out the terms of their foundations and the role the funerary monument was to play as an evocative prop in fulfilment of their obsequies and the celebration of the Offices of the Dead. Yet this city parish was also remarkable for its extensive library, which provided another dimension to the liturgy and the provision of 'quicke and deade memorie masses'. This array of benefactions is rarely seen so clearly but St. James Garlickhithe has afforded a rare opportunity to witness these practices in some detail, and it allows us to see the extent to which certain parishes were especially popular foci for benefactions and commemoration. There is potential for further research on variations in commemorative practice across London's churches and to consider other particular parish hot spots. For St. James Garlickhithe, the key to success was the actions of two men, the long stewardship of the incumbent William Huntingdon, and the reorganization of the chaplains by the royal administrator and

⁷⁹ The Austin Friars was a popular place of burial for aliens, especially Italians.

⁸⁰ TNA: PRO, PROB 11/5, fos. 151r–151v.

⁸¹ Cooper, 'St. James Garlickhithe', p. 401.

⁸² TNA: PRO, PROB 11/5, fos. 205r–206r.

⁸³ TNA: PRO, PROB 11/9, fos. 112r–113v and also LMA, MS 9171/7, fos. 96v–98v.

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parishioner Thomas Kent, which ensured the effective commemorative well-being of the living and the dead. In this church with ‘a cult of the living in the service of the dead’, the living worked hard to protect the rights of the dead in late medieval London.

II. Warfare, trade and mobility

5. Fighting merchants

Sam Gibbs and Adrian R. Bell

The interplay between mercantile and military activity is a complex one. Often warfare is portrayed as having a negative impact on trade, due to the breakdown of civilian law and order, raiding, piracy and even conscription of ships and seizure of goods. Despite these issues, there are potential opportunities for profit in conflict: the increased demand for military supplies, and the potential for providing them to an array of garrisons, armies and fleets could provide an enterprising individual with an opening.¹ Of course it was in the interest of military commanders to ensure that their soldiers had ready access to supplies of food and materials, and there were large-scale depots of military equipment, for example sheaves of arrows, notably in the Tower of London. Despite this provision there was a certain expectation that English soldiers were to be self-reliant. The limitations of central governance suggest that there was a place for private enterprise in the supply of English armies, in a similar manner to the indenture system, which was employed to raise the armies in the first place.

This chapter aims to investigate merchants and their individual connections to the English military, in the context of supply and personal military service. This will provide a clearer picture of both the victualling situation and how warfare could impact on an occupational group. This work will draw upon two main resources, the online databases produced by the 'Soldier in later medieval England' project,² and the recently completed 'Poll tax database'.³ Taken together these resources provide access to a variety of nominal sources, including muster rolls, letters of protection, appointments of attorney, and poll tax returns. These can be used to identify and analyse individual English merchants and their links to the military.

There is a large body of literature that considers trade and mercantile activity in the late medieval period, notably that of the English wool and cloth trade, due to its importance to royal tax revenues and the

¹ W. P. Caferro, 'Warfare and economy in Renaissance Italy', *Journal of Interdisciplinary History*, xxxix (2008), 167–209.

² Information on soldiers has been taken from A. Bell, A. Curry, D. Simpkin, A. King and A. Chapman, *The Soldier in Later Medieval England Database* <<http://www.medievalsoldier.org>> [accessed 30 Sept. 2009].

³ S. Gibbs, 'Database of poll tax returns', unpublished.

documentation that this generated.⁴ However, Goldberg suggests that this may be a distortion:

the historian of the medieval English economy is not overburdened with evidence. It follows that such sources as are available may assume an exaggerated importance. Thus overseas trade, and in particular the cloth trade, whose fortunes are known from the enrolled customs accounts, is allowed a degree of significance in terms of the national economy that has never been fully justified.⁵

There has been some discussion of the effects of warfare on trade and the economy.⁶ However, these studies have approached the topic top-down, considering the impact on the market and government over the impact on the individual.

There is less of a gap in the military historiography, which has focussed recently on the individuals within armies, considering and illuminating individual careers in arms. Of course, again due to the evidential base, this has tended to concentrate on those towards the top of the social scale; however, some studies have shown that it is possible to consider certain groups outside the social and military elite.⁷ Furthermore, recent work considering the maritime element of the Anglo-French wars has shown that it is possible to investigate a loose group of individuals that are unified to an extent by their occupations.⁸

The poll taxes of 1377, 1379 and 1381 have provided a large proportion of the data analysed in this chapter. Despite the vast amount of raw data contained within the returns – 264,350 names – until relatively recently it has been largely ignored for historical research. Even studies concerned with demography, such as Thrupp's *The Merchant Class of Medieval London*, are dismissive of the returns, asserting that 'The schedule is so faulty that it cannot represent anything more than a preliminary survey; if the collectors had proceeded on this basis, they would have touched barely half their final

⁴ A. Bell, C. Brooks and P. Dryburgh, *The English Wool Market, c.1230–1327* (Cambridge, 2007).

⁵ P. J. P. Goldberg, 'Urban identity and the poll taxes of 1377, 1379, and 1381', *Economic History Review*, xliii (1990), 194–216, at p. 214.

⁶ M. M. Postan, 'The costs of the Hundred Years War', *Past & Present*, xxvii (1964), 34–53; M. Kowaleski, 'Warfare, shipping and crown patronage: the economic impact of the Hundred Years War on the English port towns', in *Money, Markets and Trade in Late Medieval Europe*, ed. L. Armstrong, I. Elbl and M. M. Elbl (Leiden, 2007), pp. 233–56.

⁷ A. Bell, A. Curry, A. King and D. Simpkin, *The Soldier in Later Medieval England* (Oxford, 2013).

⁸ A. Ayton and C. Lambert, 'A maritime community in war and peace: Kentish ports, ships and mariners, 1320–1400', *Archaeologia Cantiana*, cxxxiv (2014), 67–104.

total.⁹ There has, however, been something of a rehabilitation of the poll tax returns as a source, notably Fenwick's unpublished PhD thesis.¹⁰ Fenwick thoroughly deals with the various aspects of the returns, introducing the events and socio-economic changes behind their imposition, detailing the methods of collection, and discussing the other documentary sources connected to the returns, as well as evaluating the returns as a source and how they can be used effectively. Fenwick makes a cautious yet comprehensive case for the use of the returns; she proposes that many factors which should impact on the assessment of the returns have been overlooked, notably careful reading of the rules of collection and the effects of exemptions on the tax base, stressing that the boundaries between tax evasion and tax exemption were nebulous.¹¹ Other historians have also considered the uses for the returns. Goldberg's work on the demographics of York have shown how the returns can be used for smaller-scale case studies, and he strengthens the case for their use as an important historical source.¹² Unfortunately, there is minimal literature concerned with the returns themselves. They have been utilized in other publications, especially those concerned with women's history, as they are one of the few sources that record any details about women outside of the nobility. There are also two case studies: the first, dealing with New Romney in Kent, examines the returns as a source for the town's social structure.¹³ The second considers the demographic structure of the county of Buckinghamshire at the time of the poll taxes.¹⁴ Of more direct relevance to this present research is a further study on the origins of English archers, which considers the use of the poll taxes when identifying archers in detail and the evidentiary issues surrounding this

⁹ S. L. Thrupp, *The Merchant Class of Medieval London 1300–1500* (Ann Arbor, Mich., 1989), p. 49.

¹⁰ C. C. Fenwick, 'The English poll taxes of 1377, 1379 and 1381: a critical examination of the returns' (unpublished University of London PhD thesis, 1983).

¹¹ 'The form of each poll tax was quite different. In 1379, married women were excluded ... the effects of this were, at the time, and have been since, seriously underestimated. No two poll taxes were levied from the same age range. Thus, those who paid as fourteen year olds in 1377 paid again as sixteen year olds in 1379, but those who were twelve in 1377 did not pay in 1379 when the exemption level was raised by two years ... It is not surprising that the number of tax-payers recorded was quite different for each tax. Thus, some of the discrepancies we seem to find are the result of a careless reading of the rules laid down for the taxes' (Fenwick, 'The English poll taxes', p. 167).

¹² Goldberg, 'Urban identity and the poll taxes', pp. 194–216.

¹³ S. Sweetinburgh, 'The social structure of New Romney as revealed in the 1381 poll tax returns', *Archaeologia Cantiana*, cxxxii (2011), 1–22.

¹⁴ K. Bailey, 'Buckinghamshire poll tax records 1377–79', *Records of Buckinghamshire*, xlix (2009), 173–87.

usage.¹⁵ Therefore, and despite the importance of the returns to this chapter, there is not an established methodology for the use of the returns, beyond the focused paper by Goldberg which gives an indication of the type of data that can be extracted.

At this stage it is worth discussing the sources further, in the context of the method employed in this chapter. The muster rolls are administrative documents created as a part of the indenture system, which by the late fourteenth century had almost wholly replaced previous methods of raising soldiers for the English crown. Instead of being based on any obligations due from land tenure, the indenture system relied on individual captains agreeing to provide a certain number of soldiers, for a certain period of time, in exchange for a predetermined amount of wages. Often a bonus, or regard, was included as well.¹⁶ The muster rolls are the records of exchequer officials certifying that the retinue captains had indeed arrived for the contracted service with the correct number and quality of soldiers. This process has yielded vast amounts of nominal data, concerning individuals of low socio-economic rank who would not often appear in other sources. The musters not only contain the names of those who fought, but also record how the army was divided into different retinues, and how these were further divided into men-at-arms and archers. Aside from these military ranks, they can also provide information on social position, troop movements, promotions, replacements and mortality rates.¹⁷

The nominal evidence provided by letters of protections and appointments of attorney can be considered alongside the muster rolls, and although they are not purely military in function they do have a close connection. Issued to ensure that an individual's estates and property could not be claimed by legal process while their owner was abroad, they were often taken by soldiers who wanted to make sure that they would not fall victim to unscrupulous rivals while they were campaigning, particularly overseas. The protections and attorneys can contain residency and occupational data, crucial when considering an occupational group such as merchants. Some factors must be considered when using this evidence, however. Although these documents were theoretically available to any man who was able to seek the king's justice, they were only of use to those who had property

¹⁵ G. Baker, 'Investigating the socio-economic origins of English archers in the second half of the fourteenth century', *Journal of Medieval Military History*, xii (2014), 173–216.

¹⁶ A. E. Prince, 'The indenture system under Edward III', in *Historical Essays in Honour of James Tait*, ed. J. G. Edwards, V. H. Galbraith and E. F. Jacob (Manchester, 1933), pp. 283–97. For a recent and up-to-date summary, see Bell and others, *The Soldier in Later Medieval England*, pp. 7–10.

¹⁷ A. Bell, *War and the Soldier in the Fourteenth Century* (Woodbridge, 2004), p. 34.

worth protecting. This means that the bulk of the soldiers going abroad did not bother to obtain them, as the majority did not possess the estates and landholdings that would make their acquisition worthwhile. Furthermore, there are other reasons why someone might be travelling outside England, unrelated to warfare, although this could include, rather pertinently for this chapter, trade.¹⁸

Although often nominal in form, the poll tax returns provide a very different set of data. They are organized by place of residency, through county, hundred and vill, and are inconsistent in organization between the different areas, possibly due to scribal whim in recording the required information. It has been suggested that the poll tax was an attempt to spread the burden of taxation onto a wider base throughout England, stemming from the economic issues resulting from the Black Death: 'The Commons' aim in imposing the poll taxes was to ensure that all, high or low, normally exempt or not, who could pay the tax did so ... their aim was simply to relieve themselves of the main burden of tax'.¹⁹ Previously, taxation had been based on the fifteenth and tenth, a tax on the movable property of individuals throughout the realm. This meant that an individual could be assessed in several different locations where they held property and incur a high bill as a result. By shifting the basis of taxation to a per capita basis, more individuals were brought into the 'national' tax system.

Despite all being poll taxes, the three collections did vary significantly, when determining liability and the amount due. For example, a flat rate of 4d was due from every person over fourteen in 1377; however, the 1379 collection raised the age to sixteen and excluded married women. This indicates that some of the criticisms, particularly those of demographic imbalance, levied at the returns can be justified, as in 1379 there was no requirement to record wives, as they were not liable, and in 1377 nominal records were not required at all, although they have survived in several places, totalling 24,211 entries. However, it must be remembered that the returns were never intended to be a census of the realm, and that while caution must be taken when using them, the data contained in the returns is invaluable, as it is one of the few large nominal records extant for the medieval period and gives indications of wealth, status and, importantly for this chapter, occupations.

It has been shown by several historians that it is possible to reconstruct quite sophisticated career biographies of soldiers at the lower end of the social scale. Andrew Ayton uses the example of Norwich's 1337 retinue to

¹⁸ Bell and others, *The Soldier in Later Medieval England*, pp. 4-7.

¹⁹ Fenwick, 'The English poll taxes', p. 24.

Gascony to demonstrate how men can be traced. He identifies up to a dozen men who were veterans of the Scottish wars, and a few who had fought in the War of St. Sardos.²⁰ It is even possible to outline the careers of individual archers, as Simpkin does in his biography of Robert de Fishlake. This is however an exceptional circumstance, where the individual in question had given a lengthy testimony in the Hastings/Grey court of chivalry case. In his testimony Fishlake asserts that he has served in Scotland and France, as well as in the Mediterranean and Jerusalem. It is not possible to confirm all of this service, particularly in the Latin east, as this lay outside the purview of the exchequer. However it is possible to confirm some of his service, the earliest of which is Fishlake's participation in the earl of Buckingham's 1380 expedition to Brittany.²¹ For most archers however, the surviving evidence is not so complete, and this is where the prosopographical approach can be used.

These examples show that career reconstructions can be attempted, and that nominal linkage of records can be used to great effect. Despite this, however, it is clear that there is an evidentiary issue regarding the identification of individual persons and tracing careers. The gaps in the evidence base are a further hindrance, aggravated by the relatively low social status of the men in question. Therefore a certain number of assumptions must be made, and applied to the data gathered in the form of probabilities. However, many of these issues have been considered in depth before, and careful analysis can render informative and relevant conclusions.

The establishment of data criteria enables such studies to join together various nominal records. Similar processes have already been applied in other works.²² The first piece of information to be considered is the name. Spellings of both first and last names can vary greatly. However, by considering the phonetics of the name matches can be made. For example, John Smyth and John Smith are phonetically similar. Therefore, these spellings could also be considered the same man for the purposes of this research. Secondly, the chronological range of the campaigns will be considered. Here it is difficult to set an exact rule; instead a range of probabilities will be considered, and

²⁰ A. Ayton, 'Edward III and the English aristocracy at the beginning of the Hundred Years War', in *Harlaxton Medieval Studies*, ed. M. Strickland (Stamford, Calif., 1998), pp. 173–206.

²¹ D. Simpkin, 'Robert de Fishlake: soldier profile', *The Soldier in Later Medieval England Database* <<http://www.medievalsoldier.org/February2008.php>> [accessed 9 Sept. 2010]; TNA: PRO, E 101/39/9, m. 5d, listed as Robert Fysshlake.

²² See several of the tables in Bell and others, *The Soldier in Late Medieval England*: table 24 on p. 190 is an especially good example of how the spelling and status of individuals could change between campaigns.

the further apart names appear in the records, the less likely it is to be the same individual. Of course certain names will occur more frequently in the records, which decreases their potential usefulness. In contrast, repeat occurrences of less common names provide stronger nominal links between data points.²³ The example above of John Smyth/Smith is not a strong association, whereas a more unusual name, such as William Somerton/Somertom would be. A final check that must be made is the rank that each man holds in each muster. It would be unusual for a man serving as an archer to have served previously as a man-at-arms. Such a move would be an effective demotion. However, though rare it was not unheard of for a man to move downwards in this manner, possibly to take advantage of a favourable military posting.²⁴ There is more evidence for promotions, and it appears that it was not uncommon for archers and men-at-arms to be drawn from the same families. Indeed, archers' social status was not clear cut, and there were many Cheshire archers whose social standing in the county was comparable to that of men-at-arms.²⁵ Therefore, a great deal of latitude must be given for changes in military status when linking the nominal records, both military and civilian. By using the criteria in this way, some probability groups can be established, with those identifications most likely to be correct separated from the least likely.

This nominal linkage approach can be used further by linking the military data to civilian taxation. This requires the use of other sources to effectively join the two, in this case the landholdings of retinue captains. Although the indenture system had encouraged men from outside the highest strata of society to lead retinues, on the whole captains were still men of property and estate and can be viewed as 'gentleman careerists' rather than as a fully professional soldiery.²⁶ This means that records of where they held land are extant and can be traced in, for example, the inquisitions post-mortem. By identifying the villis in the poll taxes as lands which can be associated with retinue captains a link between the two data sets can be established. Although this is of more direct use when considering patterns of service and obligations, it does indicate that there is a strong reason to compare the two sets.

²³ Bell and others, *The Soldier in Later Medieval England*, cite several examples, including one Peter Toron, who served as an archer in 1372 and a man-at-arms in 1377, whose surname is very unusual (p. 145).

²⁴ Bell and others, *The Soldier in Later Medieval England*, p. 148.

²⁵ P. Morgan, *War and Society in Medieval Cheshire* (Manchester, 1987), p. 109.

²⁶ A. Ayton, 'Military service and the dynamics of recruitment in fourteenth-century England', in *The Soldier Experience in the Fourteenth Century*, ed. A. Bell, A. Curry, A. Chapman, A. King and D. Simpkin (Woodbridge, 2011), pp. 9–60.

As previously mentioned, the language of the documents, particularly spelling, needs to be considered. Translation and grammar do not pose a problem, as the majority of the evidence is taken from documents in list form. However, medieval spelling could be problematic, especially when undertaking nominal record linkage. An example of this can be found via the medieval soldier online database for the records from the 1387 naval expedition under the command of the earl of Arundel. Here there are two documents, E 101/40/33, a retinue list written prior to the official muster and E 101/40/34, which is the actual muster itself. This therefore makes it highly probable that two men with the same name were the same person. In the first document there is an archer 'Nicholas Scherley' listed in the retinue of Sir Thomas Trivet, who appears in the muster as 'Nicholas Sherley' again in Trivet's retinue, indicating how a nominal form could change depending upon the scribe who recorded it.²⁷ It is common for men's names to change form due to a variety of factors, including scribal whim and style. Phonetic influences are also apparent and can be clearly seen in the Welsh names recorded in musters. For example, patronymic names where 'ap' or 'ab' have been used could be conjoined to the following name giving us 'such scribal delights as "aphtharadur"'.²⁸ Furthermore, the same name may appear in several forms, although commonly a scribe would only use one option throughout a document. For example, the forename Ieuan can be variably rendered as John, Jenkyn, Johannes and Yeuan.²⁹ It is also possible that the men had described themselves differently and that the toponymic, patronymic and occupational surnames given in one document could be recorded differently in another.

Before analysing the relationship between merchants and the military, the definition of a merchant must first be considered. Rather than limiting the definition to a strict set of individuals, merchants in the context of this chapter will be those engaged in mercantile activity, selling and buying either as generalists, such as grocers, or as specialists such as fishmongers. Of course, most occupations would have a trade element, whether for cash or in kind. However, in this chapter the focus will be on those whose occupations suggest involvement with secondary mercantile activity, rather than relying on their own produce for trade. The datasets gathered provide a myriad of different descriptions that fall within this definition, and Table 5.1 shows a sample of the various descriptions extracted from the letters of protection and poll taxes, grouped by standardized category. The samples drawn from

²⁷ TNA: PRO, E 101/40/33, m. 7d; E 101/34, m. 11.

²⁸ A. Chapman, 'The Welsh soldier, 1283–1422' (unpublished University of Southampton PhD thesis, 2009), p. 262.

²⁹ Chapman, 'The Welsh soldier', p. 263.

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Table 5.1. Sample of standardized mercantile occupations

Carter	carter	lynmour		
Chandler	chandler	tallow chandler		
Chapman	chap'	chapmon	chepmon	schipman
Dealer	upholder	spice dealer	horse dealer	scyunmong
Grocer	groc'	grac'	grossarius	
Huckster	hocst'	hoxstere	hukester	hockester'
Merchant	mercier	mercator	vintner	grain merchant
Peddler	caster	catour	pedder'	
Salter	salt'	saltweller	saltere	
Seller	woolmonger	parchment seller	rypyer	lethyseller
Skinner	pelipar'	skynnar	pelliper'	pelt'
Trader	craft trader	trader	wool trader	
Victualler	vitaler	vytiler	vituler	vitailler

the two datasets are then enumerated in Table 5.2, broken down by the standardized categories.

The letters of protection and appointments of attorney contained in the medieval soldier database have commonly been used in conjunction with muster rolls as part of the career reconstructions of individual soldiers, including military service where no musters have survived.³⁰ Where a muster does not survive, we have to use our judgement, and sometimes the specific wording of the legal instrument, to decide whether the letters of protection or appointments of attorney are linked to intended military service. For instance, a well-known example of this is Geoffrey Chaucer, who despite not appearing in any extant muster roll appears to have taken out letters of protection in 1372³¹ and 1377³² for travel overseas to France, and in 1387, specifically for service in the Calais garrison.³³ In the protections and attorney data there are 25,495 entries, of which 2,912 mention an occupation. If all descriptions that appear to have mercantile connections, including merchant, mercer, vintner, victualler, grocer, etc. are counted, a

³⁰ See the chapter on 'The men-at-arms', in Bell and others, *The Soldier in Later Medieval England*, pp. 95–130.

³¹ TNA: PRO, C 76/55, m. 9.

³² TNA: PRO, C 76/60, mm. 5, 7.

³³ TNA: PRO, C 76/72, m. 27.

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Table 5.2. Trading occupations breakdown

Occupation	Poll Tax	Protections
Carter	65	3
Chandler	2	18
Chapman	145	22
Dealer	58	30
Grocer	13	91
Huckster	39	0
Merchant	966	487
Peddler	64	2
Salter	19	7
Seller	84	36
Skinner	115	64
Trader	24	0
Victualler	60	23
Total	1,654	783

sample of 783 men is formed. From this there are only six who are described as both a soldier and some other kind of occupation. The earliest of these, Thomas Roo, is described as a soldier and victualler to the Sangette garrison in 1390.³⁴ Interestingly, a few years earlier in 1387 there is a Thomas Roo described as a grocer in the Calais garrison;³⁵ therefore potentially the same individual was engaged in supplying English soldiers in a mercantile capacity. There is possibly some career overlap between this man and Sir Thomas Roos, who appears many times in the protections between 1369 and 1381. However, it would appear that these were separate men, as Sir Thomas died in 1383. Furthermore, it would be unusual for documents to disregard established titles previously cited, such as Sir Thomas's knighthood that is noted in protections as early as 1369³⁶ but not on the victualler/grocers' protections from eighteen years later.

There are further examples of merchants acting in a military context. The London mercer John Gourneye was issued with a protection for service with Sir Thomas Swinburne at Roxburgh castle in 1386 for one year.³⁷ Interestingly

³⁴ TNA: PRO, C 76/74, m. 3.

³⁵ TNA: PRO, C 76/71, m. 51.

³⁶ TNA: PRO, C 76/52, m. 15.

³⁷ TNA: PRO, C 71/66, m. 8.

this overlaps exactly with a protection for service at Berwick castle under Sir Thomas Talbot.³⁸ Clearly he cannot have been serving in both garrisons at the same time and the fact that both protections were issued on the same day makes it unlikely that two separate men were involved. Instead, although the protection does not explicitly state as much, it appears that John Gourneye was involved in the supply of both of the garrisons rather than service as a soldier.

The links between the Calais garrison and the merchant community may have been especially close, and the links between mercantile activity and a military garrison can be seen explicitly here. On 27 September 1391 Thomas Coteler, merchant of London, was issued a protection for one year and explicitly described as a 'victualler of the castle'.³⁹ This protection was renewed on 13 October 1392, with Thomas Coteler again described as 'victualler of the castle', and his place of origin noted as London.⁴⁰ This second protection was allowed to lapse, and Thomas Coteler appears to have left Calais until 6 January 1394, when he again takes a protection as 'victualler of the town' of Calais for one year, on this occasion described as a citizen of London and grocer.⁴¹ This case highlights several points of note. Firstly, our definition of merchants must be sufficiently flexible to account for variations in language employed when drawing up these documents. Here Thomas Coteler is described separately as a 'merchant' and a 'grocer', indicating that merchant appears to cover a broad range of trades that can be considered mercantile. Secondly, this series of protections indicates that there was a consistent effort on the part of private individuals to supply Calais, i.e. merchants acting in a military context. Of the 3,191 protections connected to Calais, 162 have a mercantile connection, representing 139 different names. Of these, forty-eight men also appear in the muster rolls, suggesting that more than a quarter engaged in direct military service at least once. There are some interesting cases of merchants involved with Calais also appearing to serve as soldiers. For example, Adam de Bury of London, who is described as a 'merchant' in his protection for travel to Calais in 1369⁴² and again in his 1373 protection,⁴³ may be the same man who engaged in military service with Sir William Neville in 1374.⁴⁴ If this is the case it

³⁸ TNA: PRO, C 71/66, m. 8.

³⁹ TNA: PRO, C 76/76, m. 15.

⁴⁰ TNA: PRO, C 76/77, m. 10.

⁴¹ TNA: PRO, C 76/78, m. 12.

⁴² TNA: PRO, C 76/52, m. 21.

⁴³ TNA: PRO, C 76/56, m. 23. This protection explicitly describes him as a citizen of London, rather than just noting his place of origin.

⁴⁴ TNA: PRO, E 101/33/16, m. 1.

is apparent that his mercantile activities took precedence over the military as he took out a total of five protections, with no corresponding military activity.⁴⁵ These mercantile activities appear to have been somewhat suspect as Adam de Bury was impeached in the Good Parliament of 1376 for various malpractices connected with the trade of London and Calais, although he was later pardoned for these offences on 20 April 1377.⁴⁶ In the case of John Michel, it appears that no military service was undertaken at all. He took six protections in the period between 16 January 1383 and 15 November 1390, and is described in the first as a mercer, and the remaining five as a vintner.⁴⁷ However, although his captain is included in the details of each protection, this does not seem to have been a direct military connection, as the captain is Roger Walden, the treasurer of Calais, rather than a retinue leader. It should also be noted that in all of these examples the merchants are listed as originating in London, often being described as citizens of the city. The connection between London and Calais during this period appears to have been strong, mostly due to the heavy cross-Channel trade. This link is supported by the analysis of the protections, as ninety-seven (60 per cent) of the 162 protections taken out are explicitly linked to London, with a further twenty-nine of unknown origin, and one from Calais itself. Only thirty-five (22 per cent) can be shown to originate from other locations.

The case of Thomas Coteler provides a further example of a mercantile-military link. His description as 'victualler of the castle/town' makes the link between the merchant and military supply explicit, as victualler appears to be a used expressly in connection with the supply of castles. This is supported by its use throughout the protections, either as an occupational designation, or as a part of the description of the terms of the protection. An example of this latter category is Richard Loxlee, who took a one-year protection from 30 May 1402 for Guines castle, for the victualling of the castle, despite his occupation being given as a grocer.⁴⁸ In total there are fifty-five protections that refer to a victualler (Table 5.3).

It would appear then that the term 'victualler' was used in a distinct manner by the clerks drawing up these documents: one that connected the mercantile to the military. A majority of the extant 'victualler' protections are from the fifteenth century, a logical pattern probably influenced by the increased permanency of the English military presence in France following

⁴⁵ TNA: PRO, C 76/53, m. 26; C 76/54, m. 16, and C 76/55, m. 42.

⁴⁶ *Rotuli parliamentorum ut et petitiones et placita in parlamento*, ed. J. Strachey and others (6 vols., 1767–77), ii. 330; *CPR 1374–1377*, p. 453.

⁴⁷ TNA: PRO, C 76/76, m. 18; C 76/72, m.25; C 76/73, m. 17, and C 76/74, m. 24; also *CPR 1389–1392*, p. 26.

⁴⁸ TNA: PRO, C 76/86, m. 4.

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Table 5.3. Appearance of 'victualler' in protections

	Specific castle named	Non-specific	Number appearing in musters
As occupation	18	5	10
In description	12	20	9
Total	30	25	17

Table 5.4. Mercantile military service

Service type	Muster sample		Mercantile protection sample	
Expeditionary	2,637	16%	10	5%
Garrison	1,631	10%	6	3%
Standing army	3,891	24%	34	18%
Escort	0	0%	0	0%
Unknown	1,492	9%	13	7%
Naval	6,616	41%	122	66%
Total	16,267		185	

the invasion of Normandy in 1417. There is a slight predominance of those who were described as victuallers, but noted as having a different occupation; however, despite this, the occupational victuallers have a proportionally higher rate of military service, suggesting that those described as victuallers had a closer connection to the military. The term only appears on a minority of the surviving protections; however, its use does support the idea of private mercantile enterprise supporting the military, which in itself was partially based around private enterprise.

The relationship between merchants and the military also continued into military service, with merchants appearing as soldiers throughout the later fourteenth century. However, when the men described as merchants in letters of protection or appointments of attorney served as soldiers, it appears that they demonstrated some differences to their non-merchant colleagues. Extracting a sample of the mercantile protections granted in the 1380s produces a sample of 185 men who can be compared to the service records in the muster rolls (Table 5.4). By limiting the muster sample to the same decade as the protection samples, the strength of the nominal linkage is greater than if a larger sample of muster records were used. The muster sample contains 16,267 entries, of which 6,616 or 41 per cent are considered

to be naval, i.e. those campaigns where soldiers were operating from ships rather than just being transported. However, when the mercantile protection sample is compared to the muster rolls, the percentage engaged in naval expeditions is noticeably higher at 66 per cent.

This preference for naval activity has come primarily at the expense of expeditionary service, which has a difference of 11 per cent between the two samples. Garrison service and service in standing armies also show a noticeable drop in service rates from the muster sample in comparison to the mercantile protections. It is possible that this predominance of naval service across the 1380s has skewed the proportional rates evident in both samples, and it must be noted that only four of the twenty-five musters from this period were in connection with naval service. However, despite this imbalance the large difference of 25 per cent between the muster and protection samples in Table 5.4 is noticeable. It is possible that this increase was the result of close links between the mercantile community and the need to protect water borne trade, or perhaps it was due to the mercantile individuals living in or near ports or other coastal areas, and therefore a higher proportion of men were more comfortable at sea, operating ships.

The poll tax returns discussed above can also provide some insight into mercantile/military overlap. Of the 264,350 people in the poll tax records, only men who can be identified as mercantile will be required for this chapter, reflecting the fact that women were not formally engaged with the military. This provides a sample of 1,566 entries, which can be further subdivided into Section 1, 1,386 names which appear in the poll taxes only once, and Section 2, which comprises sixty-nine names appearing in multiple instances and represents the remaining 173 records. These entries from Section 2 are less useful for considering individual trends as they represent multiple occurrences of the same name, each one representing a distinct individual, a result of the nature of the poll tax being executed on a per capita basis, and not taxing any one person in more than one location. This means that any nominal record linkage will be uncertain and weak. This differs from the muster data, where multiple entries of the same name can be the same person engaging in repeat military service.

It is also worth considering the soldier sample that will be employed in this analysis. This chapter will concentrate on the 33,895 nominal muster records for archers and men-at-arms that date to within ten years of the poll taxes. This increases the potential for any nominal linkage to be accurate, as the limited chronology restricts the possibility of a false positive. This sample has been further refined into three tiers, each with different characteristics, to improve the quality of the analysis. Tier 1 comprises the 19,606 soldiers who only appear on one occasion in the musters,

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and includes 10,450 archers and 9,156 men-at-arms. These names are the easiest to link as they are unique and a match to a poll tax entry has little chance of being incorrect. Tier 2 contains 9,674 individual service entries, covering a total of 3,276 unique names, including 1,873 archers and 1,403 men-at-arms. These are the muster records where a name has appeared on more than one occasion, but in the same year, making it likely that there was more than one individual with that name and therefore making any nominal links between the muster entry and the poll tax weak. The final group, Tier 3, is drawn from the soldiers that appear to have engaged in service on multiple occasions, and have more than one muster entry in their name, but in different years, and total 4,600 entries, including 1,015 named archers serving on 2,332 occasions and 1,017 men-at-arms serving on 2,268 occasions. They represent a more professional group of soldiers, and will be considered separately to see if there is any particular overlap between the emerging military professionals and merchants. Separating the different types of data extracted from the dataset in this manner enables the different nominal links to be grouped by the probability of a link being accurate. A representation of the strength of the nominal linkages between the poll tax sections and the muster tiers is shown in Table 5.5.

Table 5.5. Nominal linkage probability

	Tier 1	Tier 2	Tier 3
Section 1	Strong	Potential	Good
Section 2	Potential	Weak	Weak

These probability groups highlight not only where the nominal linkage is strongest, but also where the matches between the two datasets is most likely to be significant. For example, it is highly unlikely that the nominal matches between the multiple occurrences of both poll tax and muster names could be considered significant, as it is difficult, if not impossible, to conclude that any pair generated are the same individual. However, the stronger links generated with Section 1 provide more scope for analysis.

The muster sample contains 18,485 service records for archers and 15,344 for men-at-arms, a difference of just under a fifth. This indicates that the percentage of matches made between the two military ranks will be a fifth bigger for the archers, which is reflected in the percentage of Section 1 names that are matched to each rank in Table 5.6. This suggests that merchants as a group reflected the socio-economic mixture of the men who formed the

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Table 5.6. Mercantile poll tax payees appearing in musters

	Tier 1		Tier 2		Tier 3		% section matched		
	Archers	Men-at-arms	Archers	Men-at-arms	Archers	Men-at-arms	Unmatched mercantile individuals	Archers	Men-at-arms
Section 1	66	51	54	29	30	26	1,310	10%	8%
Section 2	5	7	17	8	7	7	n/a	n/a	n/a

English armies, and that they came from across a range of social strata. However, it does appear that knights were highly unlikely to be described as mercantile, as there are only six occasions where a Section 1 name matches to the name of a knight in the muster rolls, in comparison to 171 matches to the rank of esquire.

Alongside direct evidence of their military service, the poll tax records also provide an opportunity to delve further into the lives of mercantile individuals. As the returns can provide nominal, occupational and economic data for an individual they can provide a picture of the economic status of mercantile individuals. By looking at the levels of tax paid by these merchants in the 1379 and 1381 collections, a snap shot of their economic power can be extracted. These two years were graduated by ability to pay, unlike the flat per capita tax of 1377 and therefore differences in wealth are apparent. Table 5.7 shows how the different occupations within the mercantile group compare with each other, and how the 'merchant' occupation dominates the group, containing the wealthiest individuals having one of the highest average payments, despite having the largest sample size and highest proportions of persons paying the minimum rate of 4*d*. Taken as a whole, the mercantile group compares favourably to other occupational groups and possesses one of the highest levels of economic status of the groups in Table 5.8, with the highest mean and the third highest mode. This indicates that despite not having the richest individuals, which are found in the gentry group, it has strength in depth, and has a large group of wealthy individuals. This reflects the breakdown of service shown in Table 5.6, with a high proportion of mercantile military service being performed as men-at-arms.

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Table 5.7. Pence paid by mercantile occupations in poll tax

	Range			Average		Significance	
	Count	Low	High	Mode	Mean	Standard deviation	Coefficient of variation
Carter	65	4	48	12	8.7	8.8	1.01
Chandler	2	4	12	n/a	9.0	4.2	0.47
Chapman	145	4	80	12	18.2	13.9	0.76
Dealer	58	6	160	6	15.7	23.5	1.50
Grocer	13	4	120	120	37.2	51	1.37
Huckster	39	4	36	12	10.4	6.3	0.61
Merchant	968	4	242	12	23.0	30.8	1.34
Peddler	64	6	24	12	8.5	6.4	0.75
Salter	19	6	30	30	17.9	10.8	0.60
Seller	84	4	160	12	14.1	26.5	1.88
Skinner	115	4	40	6	10.5	9.8	0.93
Trader	24	3	24	12	10.0	7.5	0.75
Victualler	60	6	96	6	15.0	19	1.27
Sample average		4.5	82.5	19.4	15.2	16.8	1.10

This link between economic standing and military status can be developed by breaking down the merchant category further. The 1379 poll tax schedule of charges specified different rates depending on the status of the merchant, dividing them into greater, paying 160*d* or more, sufficient, paying between 160*d* and 40*d*, and lesser, paying 40*d* or under. Using these economic criteria, the poll tax merchants, those who are explicitly described as merchants rather than those from mercantile occupations, who come from Section 1 (the uniquely named individuals) will be compared to the muster sample used above, covering the period 1367 to 1391.

The results shown in Table 5.9 are somewhat limited by the variation in sample size. However, it does provide confirmation of the results shown in Table 5.6, with the average match between archers and the merchants of 9 per cent and men-at-arms and merchants of 5 per cent.

The poll taxes also enable an analysis of mercantile service by service type, in the same manner as the protections (Table 5.4). By using the two data resources in a similar fashion, where possible, it will improve the certainty of any conclusions drawn and reinforce the evidence of one of the sources.

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Table 5.8. Mercantile occupations vs other occupational groups

	Count	Range		Average		Significance	
		Low	High	Mode	Mean	Standard deviation	Coefficient of variation
agricultural	21,065	3	144	4	36.5	29.6	0.81
artisan	11,787	3	216	6	55.2	55.1	1.00
ecclesiastic	40	4	40	12	13.4	13.9	1.04
gentry	824	4	480	40	70	85	1.21
governance	426	4	120	6	28.8	33.2	1.15
legal	125	4	240	80	44.9	55.6	1.24
maritime	594	4	80	6	26.2	20.5	0.78
medical	7	4	36	30	17	15.7	0.92
mercantile	1,656	3	242	12	71.2	63.3	0.89
other	2,774	4	240	12	43.5	46.7	1.07
services	516	4	108	12	35.7	28.6	0.80
servile	17,217	3	144	4	27.1	27.3	1.01
Sample average		3.7	174.2	18.7	39.1	39.5	1.0

Table 5.9. Merchant military ranks by tax burden

	Count	Archers	Men-at-arms
Greater merchants	14	1	0
Sufficient merchants	142	19	8
Lesser merchants	602	55	42

The sample of musters used here covers the period 1367–91, within ten years of the poll tax, and this sample breaks down with the same proportions of naval, expeditionary, garrison, standing army, and escort service as the muster sample used for comparison against the protections. The poll tax records do not immediately demonstrate a difference between mercantile and non-mercantile naval service, unlike the analysis of protections in Table 5.4. However, by investigating a little deeper into the poll tax/muster overlap it is possible to see some distinguishing mercantile features. For example, looking at different counties reveals a more detailed picture. It is apparent from Table 5.10 that there is a higher proportion of naval service among

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the merchants originating in the coastal county of Dorset, compared to the inland county of Wiltshire. This proportional increase does not appear in the non-mercantile populations of these counties, where the rates of naval service for both counties slumps to 30 per cent of matching records. This supports the idea that it was more likely for a mercantile individual to engage in naval service than his non-mercantile compatriot; however, this trend is more tangible in coastal areas, where a stronger maritime tradition could be apparent.

Table 5.10. Mercantile poll tax military service

Service type	Muster sample		Mercantile poll tax sample	
			Dorset	Wiltshire
Expeditionary	5,554	16%	23%	11%
Garrison	2,536	7%	0%	13%
Standing Army	7,681	22%	0%	21%
Escort	253	1%	0%	1%
Unknown	1,502	4%	9%	0%
Naval	17,395	50%	68%	54%
Total	34,921			

The importance of mercantile activity in the fourteenth century to the English crown and its revenues generated a huge amount of documentation leading to a large body of historiography, disproportionate to the economic structure of England at the time. Despite this over-representation, the links between merchants and the military have not previously been discussed in depth, an omission that appears odd, given that warfare represented one of the English king's greatest expenditures, and an omission that this chapter has tried to correct. It has been shown that there was a great deal of overlap between the mercantile and military spheres. Merchants were not exempt from service in the English armies, and engaged in service in many different theatres, with a notable emphasis on the naval campaigns. The evidence of the poll tax returns and the protections also suggests that mercantile individuals were of higher economic status than the average person, a hypothesis supported by the proportionally higher rate of service as men-at-arms. Importantly there is also evidence of merchants who were involved in the military, but not necessarily as soldiers. Instead, there is evidence suggesting that the crown was aware of the need to supply its armies and garrisons, and that it was willing to allow a certain amount of private enterprise to ensure that this logistical task was carried out. This

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area of mercantile activity appears to have acquired a distinct title, that of 'victualler'. In summary, there are links between the mercantile and the military, and the logistical needs of the English armies appear to have been met, in part, by private enterprise reminiscent of the indenture system used to recruit soldiers.

6. London and its merchants in the Italian archives, 1380–1530

F. Guidi-Bruscoli

In an article published more than a hundred years ago, in 1913, in the Italian journal *Archivio Storico Italiano*, Emilio Re stressed the importance of English sources for Italian history.¹ In his thirty-page paper he presented to Italian readers the wealth of documents preserved in the Public Record Office (now The National Archives), and focussed in particular on those relating to Italian merchants in the thirteenth and early fourteenth centuries. Among them he highlighted the significance of the patent rolls, the close rolls, liberate rolls, memoranda rolls and other papers of the chancery or of the exchequer. Through these sources it is certainly possible to find traces of the presence of the many Italians who moved to England in the late middle ages, for shorter or longer periods. Several scholars have since studied the presence of Italians (and, more generally, of aliens) in late medieval England and have made full use of such documents. More recently, the AHRC-funded research project on ‘England’s immigrants 1330–1550’, based at the University of York, has systematically explored manuscript documents, such as the alien subsidies and the letters of denization and protection, in order to provide a database of the alien presence in the country.² Additionally, court cases can provide information on the activity of foreign merchants; but the use of this type of evidence has drawbacks, including the frequent absence of a decision and the unreliability of the values provided, for each party tended to exaggerate them, aiming at the protection of its own interests. In contrast, it is unfortunate that for this period sources of private (business) origin are a very rare find in English archives, the exception being the 247 Cely letters and memoranda of the 1470s and 1480s; moreover no account books survive at all until the sixteenth century.³

¹ E. Re, ‘Archivi inglesi e Storia italiana’, *Archivio Storico Italiano*, lxxi (1913), 249–82.

² <<http://www.englishimmigrants.com>> [accessed 2 April 2015]; see also F. Guidi-Bruscoli and J. Lutkin, ‘Perception, identity and culture: the Italian communities in fifteenth-century London and Southampton revisited’, in *Resident Aliens in Later Medieval England*, ed. M. Ormrod, N. McDonald and D. Taylor (forthcoming 2016).

³ J. L. Bolton, ‘London merchants and the Borromei bank in the 1430s: the role of local credit networks’, in *The Fifteenth Century X. Parliament, Personalities and Power: Papers*

Therefore, in order to investigate the Italian presence in late medieval England, Italian sources must also be used; and, in the context of this article, Italian business sources, now mainly kept in Italian archives, but produced on an almost daily basis by mercantile companies based in London, are crucial. These sources, moreover, contain much relevant information for those who wish to investigate the activities of the many Englishmen, from merchants to clerics, from aristocrats to craftsmen, who used the services of Italian banks.⁴

Italian business sources relating to England

One of the most famous Italian archives for the study of late medieval economic history is the Archivio Datini, holding documents belonging to the famous ‘merchant of Prato’ and now kept by the Archivio di Stato in Francesco Datini’s birthplace.⁵ Among the almost 150,000 surviving letters, there are c.270 documents (commercial letters, bills of exchange, statements of account, bills of lading and invoices) sent to various Datini companies by correspondents based in London, in the period 1388 to 1408.⁶ Even more useful for the actual workings of the commercial and financial activity, however, are account books, where many Englishmen – as we shall see – appear as account-holders, sometimes for just one operation, and in other instances for several years.

In a previous publication I presented a table including surviving ledger books kept in Bruges or London in the fifteenth century.⁷ Here I present a similar table, limiting my attention to London, and complementing the list with information for the early sixteenth century.

Presented to Linda S. Clark, ed. H. Kleineke (Woodbridge, 2011), pp. 53–73, at pp. 54–5; *The Cely Letters, 1472–1488*, ed. A. Hanham (Oxford, 1975).

⁴ Bolton, ‘London merchants’, pp. 53–73 explored local credit in London through the use of *Filippo Borromei e compagni’s* London ledger for 1436–9.

⁵ On Francesco di Marco Datini, see I. Origo, *The Merchant of Prato: Francesco di Marco Datini, 1335–1410* (New York, 1957) and the more recent *Francesco di Marco Datini: the Man the Merchant*, ed. G. Nigro (Florence, 2010). The entire correspondence has been digitized and is available online: <<http://datini.archiviodistato.prato.it>> [accessed 14 May 2014].

⁶ These letters have been discussed by H. Bradley, ‘The Datini factors in London, 1380–1410’, in *Trade, Devotion and Governance: Papers in Later Medieval History*, ed. D. J. Clayton, R. G. Davies and P. McNiven (Stroud, 1994), pp. 55–79, and by F. Guidi-Bruscoli, ‘Trade with northern Europe’, in Nigro, *Francesco di Marco Datini*, pp. 395–417. I am currently preparing an edition of the whole collection of letters from London.

⁷ F. Guidi-Bruscoli, ‘Mercanti-banchieri fiorentini tra Londra e Bruges nel XV secolo’, in *“Mercatura è arte”*. *Uomini d'affari toscani in Europa e nel Mediterraneo tardomedievale*, ed. L. Tanzini and S. Tognetti (Rome, 2012), pp. 11–44, at pp. 13–14.

London and its merchants in the Italian archives

Table 6.1. Ledgers (*Libri di Debitori e Creditori*) of Italian companies in London, 1400–1530

Company	Years	Archive
Villani Domenico & co.	1422–24	London, College of Arms, M.10 (fragment)
Borromei Filippo & co.	1436–9	Isola Bella, Archivio Borromei, Mastro n. 7
Salviati Iacopo & co.	1445–8	Pisa, Scuola Normale, <i>Archivio Salviati</i> , Libri di commercio, I serie, 333
Salviati Iacopo & co.	1448–51	Pisa, Scuola Normale, <i>Archivio Salviati</i> , Libri di commercio, I serie, 336
Salviati Iacopo & co.	1451–5	Pisa, Scuola Normale, <i>Archivio Salviati</i> , Libri di commercio, I serie, 341
Salviati Iacopo & co.	1453–64	Pisa, Scuola Normale, <i>Archivio Salviati</i> , Libri di commercio, I serie, 344
Bardi heirs of Giovanni & co.	1492–4	Florence, Archivio Guicciardini, <i>Carte Bardi</i> , 11
Bardi heirs of Giovanni & co.	1495–8	Florence, Archivio Guicciardini, <i>Carte Bardi</i> , 12
Bardi Migiotto and Bernardo & co.	1515–18	Florence, Archivio di Stato, <i>Venturi Ginori Lisci</i> , 448
Bardi Migiotto and Bernardo & co.	1519–25	Florence, Archivio di Stato, <i>Venturi Ginori Lisci</i> , 449
Bardi Migiotto and Bernardo & co.	1521–36	Florence, Archivio di Stato, <i>Venturi Ginori Lisci</i> , 450
Bardi Pier Francesco and Cavalcanti Giovanni & co.	1521–31	Florence, Archivio di Stato, <i>Venturi Ginori Lisci</i> , 472
Bardi Pier Francesco (& co.)	1528–31	Archivio Bardi di Vernio, D 2
Bardi Pier Francesco (& co.)	1529–33	Archivio Bardi di Vernio, D 3

As Table 6.1 shows, there is a striking string of ledger books, spanning a century, with only a few gaps. This list, moreover, shows only the so-called *Libri di Debitori e Creditori* (Debtors and Creditors), i.e. the ‘final’ book, which included in synthesis the information deriving from the preparatory books. Journals, books of income and expenditure, and record books (*ricordanze*) from the Iacopo Salviati company survive in a collection totalling thirteen volumes: in some cases up to two or three books (e.g.

'journals', 'income and expenditure', and 'debtors and creditors') are extant for the same time period, including some of the preparatory books and the final one. One volume (*libretto*) is uniquely kept in a mix of Middle English, Latin, Italian and Anglo-Norman, and concerns the export of wool to Florence in 1451.⁸ An even greater variety of sources survives for the company of Pier Francesco de' Bardi and Giovanni Cavalcanti, including cash books, copies of letters sent (*copialelettere*) and 'specialized' journals (e.g. the *giornale di drappi*, and the silks journal). There are a total of twenty-two books currently kept in two different Florentine archives, one public and one private.⁹ For a later period (outside the chronological limits of this chapter), the Corsini private archive preserves books of the family firm in London in the 1570s.¹⁰ Moreover, the Florentine Archivio di Stato holds the *ricordanze* (record book) of Tommaso Guidetti (1481–1515), written in Florence but partly concerning the years he spent in London (and Bruges) as a manager of the Medici Bank.¹¹ It also holds the secret book (*libro segreto*) of Giuliano Serristori (1495–1504), mainly concerning his investment in London in the years around the turn of the century, giving a list of debtors (including several Englishmen) for 1500–2.¹² The Florentine Archivio dell'Ospedale degli Innocenti (Foundling Hospital Archive) holds Luigi di Giovanni Mannelli's book of *Debitori, Creditori e Ricordi* (Debtors, Creditors and Record-book), which lists accounts kept in London in 1479 to 1502.¹³ Other relevant documents include the Alberti Company of London's balance sheet from 1 November 1436, where each of the account holders appears with the balance of his account.¹⁴ Clearly, account books kept in towns other than London, but in commercial relations with the English capital, could also be used: Bruges is the most obvious example, but there are many more towns that traded with England and where Italians were active.

⁸ Pisa, Scuola Normale, *Archivio Salviati*, Libri di commercio, I serie, 333–45. The *libretto*, vol. 339 of the collection, has been studied by G. Holmes, 'Anglo-Florentine trade in 1451', *English Historical Review*, cviii (1993), 371–86.

⁹ Florence, Archivio di Stato, *Venturi Ginori Lisci*, 461–78; Florence, Archivio Ginori Lisci, *Fondo Bardi*, 217–18, 225–6.

¹⁰ Florence, Archivio Corsini, col. 1, box 4, no. 27; col. 1, box 5, no. 29; col. 1, box 6, no. 33; col. 1, box 4, no. 26; col. 1, box 5, no. 32; col. 1, box 6, no. 34. A large number of letters sent to the Corsini of London have been sold at separate auctions; almost 100 letters are kept by the Princeton University Library (see P. Beale, A. Almond and M. Scott Archer, *The Corsini Letters* (Stroud, 2011)).

¹¹ Florence, Archivio di Stato, *Carte Stroziane*, IV serie, 418.

¹² Florence, Archivio di Stato, *Serristori*, Famiglia, 709.

¹³ Florence, Archivio dell'Ospedale degli Innocenti, 12977.

¹⁴ Florence, Archivio di Stato, *Mercanzia*, 271, fos. 172–8.

Our knowledge of English economic history and more broadly of the economic relations between England and the Mediterranean (but also between England and the Low Countries) will therefore be greatly enhanced when research already undertaken on some of these sources is completed, and when other sources begin to be fully exploited. The eight-sheet fragment of the Villani ledger, for example, has been entirely transcribed and analysed, but by its nature is limited in the information it can yield.¹⁵ More data will be available when the Borromei book of 1436–9 (consisting of four consecutive ledgers, one per year) is fully inputted and analysed.¹⁶ The Salviati ledgers are currently being investigated for a post-doctoral project funded by the Ecole française de Rome.¹⁷ The Bardi books of the 1490s have partly been studied in relation to the company's funding of Cabot's voyage(s).¹⁸ Finally, the Bardi-Cavalcanti ledgers have partly been used for research on the firm's headquarters in London and on the trade of art objects.¹⁹

Normally, after completing a ledger, Italian companies sent their books back home to the head office for scrutiny: that is why most of them are kept in Italian archives. There are only rare exceptions, such as the fragment of the above-mentioned ledger belonging to Domenico Villani's company. For unknown reasons, the original book was dismantled and some of its

¹⁵ F. Guidi-Bruscoli, 'Un frammento inedito di un libro di conti di Domenico Villani e compagni di Londra, 1422–24', *Storia economica*, xiii (2010), 375–409 (complete transcription of the document at pp. 395–409).

¹⁶ This is among the objectives of the ESRC-funded 'Borromei bank research project'. Based at Queen Mary, University of London, and involving J. L. Bolton and F. Guidi-Bruscoli, the project aims to digitize the ledgers kept by the Borromei in London (1436–9) and Bruges (1438). The inputting process is in progress at the time of going to press; the Bruges ledger is already available online at <<http://www.queenmaryhistoricalresearch.org>>. A presentation of the project and some preliminary findings have been published in F. Guidi-Bruscoli and J. L. Bolton, 'The Borromei bank research project', in *Money, Markets and Trade in Late Medieval Europe: Essays in Honour of John H. A. Munro*, ed. L. Armstrong, I. Elbl and M. M. Elbl (Leiden, 2007), pp. 460–90. The London ledger had previously been studied by G. Biscaro, 'Il banco Filippo Borromei e compagni di Londra (1436–1439)', *Archivio Storico Lombardo*, xl (1913), 37–126, 283–386.

¹⁷ The title of the project, carried out by Matthieu Schermann, is *Réseaux toscans et économie européenne. Espaces et pratiques de la banque Salviati de Londres (1445–1466)*.

¹⁸ F. Guidi-Bruscoli, 'John Cabot and his Italian financiers', *Historical Research*, lxxxv (2012), 372–93; F. Guidi-Bruscoli, 'Capitali fiorentini nei primi viaggi verso il Nord America: Giovanni Caboto e Giovanni da Verrazzano', in *Vespucci, Firenze e le Americhe, Proceedings of the International Conference (Florence, 22–24 Nov. 2012)*, ed. G. Pinto, L. Rombai and C. Tripodi (Florence, 2014), pp. 105–21.

¹⁹ See, for example, C. Sicca, 'Consumption and trade of art between Italy and England in the first half of the sixteenth century: the London house of the Bardi and Cavalcanti company', *Renaissance Studies*, xvi (2002), 163–201.

pages reused for a volume about coats of arms, written around 1480, i.e. about sixty years after it was initially assembled and then compiled as an account book. Consequently it is kept in London, at the College of Arms in Queen Victoria Street.²⁰ Only one other Italian account book, dating back to the fourteenth century, has been uncovered in England, at The National Archives: the small ledger of the Florentine Pepo Frescobaldi of 1311. In this last instance the reason for keeping it in London was connected with the seizure of the Frescobaldi's belongings by the English authorities.²¹ In the Villani case, on the contrary, the book had clearly lost its documentary worthiness, eventually being considered of value only inasmuch as it provided reusable scraps of good quality paper.

As Table 6.1 shows, most of the fifteenth- and sixteenth-century ledgers came from Florentine firms and are now kept in archives located in Florence or in the Florentine area. Apart from the curious exception of the Villani fragment, outside Florence there are only the Borrromei ledger and the Salviati ledgers: the latter are kept in Pisa, at the Scuola Normale Superiore, to which they were loaned in 1984 by the Salviati descendants, a family of Florentine origin. The branch of the Borrromei family whose books are held by the family archive at Isola Bella (Lake Maggiore) had settled in Milan at the end of the fourteenth century. However, the family was Tuscan by descent (from the small town of San Miniato al Tedesco, between Florence and Pisa) and kept a base in Florence even after relocating to Milan, Padua or Venice.²²

The Florentines were not the only Italian community of some importance in late medieval London. The Venetians were present in roughly equal

²⁰ '...The official heraldic authority for England, Wales, Northern Ireland and much of the Commonwealth including Australia and New Zealand', as stated on the institute's website <<http://www.college-of-arms.gov.uk>> [accessed 2 Apr. 2015].

²¹ This book – the 'Tercius liber mercatorum de Friscobaldis' – was published by A. Saponi, *La compagnia dei Frescobaldi in Inghilterra* (Florence, 1947), pp. 83–136. New (notarial) documents on the aftermath of the bankruptcy of the Frescobaldi in England are discussed in S. Tognetti, 'Nuovi documenti sul fallimento della compagnia Frescobaldi in Inghilterra', in *Città e campagne del basso Medioevo. Studi sulla società Italiana offerti dagli allievi a Giuliano Pinto* (Florence, 2014), pp. 135–58. On the other hand, the account books of another important Tuscan company of the late 13th century, the Lucchese Ricciardi, which were also seized by the English authorities following their bankruptcy, have not survived, but 16 letters sent to them from Florence are published in *Lettere dei Ricciardi di Lucca ai loro compagni in Inghilterra (1295–1303)*, ed. A. Castellani and I. Del Punta (Rome, 2005); some of the documents are also published in *Accounts of the English Crown with Italian Merchant Societies, 1272–1345*, ed. A. R. Bell, C. Brooks and T. K. Moore (Chippenham, 2009), pp. 2–52.

²² Sometimes they were even identified as Florentines, when abroad: on the 'Florentineness' of the Borrromei, see Guidi-Bruscoli, 'Mercanti-banchieri fiorentini', pp. 21–2.

number and there were even more Genoese. Merchants from Lucca also worked for noteworthy companies.²³ However, ledger books kept in England by members of these mercantile communities have not survived the passing of time. There is only one journal relating to the Venetians kept in London – that of Vincenzo Priuli from 1503 to 1508. There are none relating to the other groups.²⁴ Although Tuscans were more inclined to leave written records than others,²⁵ this does not explain the enormous disparity in the number of extant account books in general. Whereas on the Florentine side hundreds of ledgers survive – in private or public archives – for the fifteenth century, only a handful of private account books are extant for Genoese, Venetian or Lucchese companies.²⁶ It is not the aim of this chapter to account for this disparity, which could be down to a number of factors. Whatever the reason for their survival, Florentine account books can provide key information about the economic history of many areas of the continent, because these sources, together with other public and private documents, can be used for research on a number of topics, for example, on Italian companies abroad, their number, their continuity over time, their status within the national community, and their relations with other Italian communities and with local merchants and institutions.²⁷ But the evidence

²³ These data can be gathered from the ‘England’s immigrants 1330–1550’ project’s database: <<http://www.englishimmigrants.com>> [accessed 2 Apr. 2015].

²⁴ R. C. Mueller, *The Venetian Money Market. Banks, Panic and the Public Debt, 1200–1500* (Baltimore, Md., 1997), p. 345 n. 96. There are also two recently published ledgers concerning the voyages of Giovanni Foscari to Flanders (and London) in the 1460s: *Giovanni Foscari. Viaggi di Fiandra, 1463–1464 e 1467–1468*, ed. S. Montemezzo (Venice, 2012).

²⁵ As Francesco Datini and Andrea di Bonanno once commented about other Italians, ‘they are not people who write in the same way we do, the pen is heavy for them!’ (‘E non sono gente scrivono al modo nostro, pesa loro la penna!’) (Prato, Archivio di Stato, *Datini*, 657.6/107707, Genoa-Florence, Francesco Datini and Andrea di Bonanno to Francesco Datini and Stoldo di Lorenzo, 10.11.1394, published by M. Giagnacovo, *Mercanti toscani a Genova. Traffici, merci e prezzi nel XIV secolo* (Naples, 2005), p. 35 n. 42). Duccio Balestracci famously defined Tuscany as ‘a region with the pen in its hand’ (‘Una regione con la penna in mano’) and added that ‘at the end of the middle ages the Tuscan *bourgeoisie* seems imbued with the writing fever’ (‘Alla fine del Medioevo la borghesia toscana sembra pervasa dalla febbre della scrittura’) (D. Balestracci, *La zappa e la retorica. Memorie familiari di un contadino toscano del Quattrocento* (Florence, 1984), p. 15).

²⁶ R. A. Goldthwaite and M. Spallanzani are currently preparing a census of private Florentine account books from their origins to 1600, with the indication of those kept abroad.

²⁷ On these issues I have published a series of articles: F. Guidi-Bruscoli, ‘Capitali fiorentini nei primi viaggi’; ‘John Cabot’; ‘Mercanti-banchieri fiorentini’; ‘Trade with northern Europe’; ‘Un frammento inedito’; ‘“Perché era mal governata”’. I mercanti-banchieri fiorentini del Rinascimento e la chiusura delle loro compagnie, tra fallimenti imprenditoriali e conflitti fra i soci’, in *Imprenditorialità e sviluppo economico: il caso italiano*

contained within them can also support research into the activity of the many Englishmen (and women) who were account holders in these books.

London merchants and Florentine account books

Many trades are represented in the account books discussed in this chapter, but three main categories emerge: clerics, mercers and grocers. This chapter is concerned only with the mercers. The sources used for this analysis are the fifteenth-century records listed in Table 6.1 (p. 115). A full directory of individuals appearing as account holders in these documents is provided in the Appendix (pp. 127–35).

Most of the individuals listed can be positively identified.²⁸ Among the mercers, nineteen played an aldermanic role, twelve became mayors and four were knighted, as shown in Table 6.2.

In an article published in 2011, Jim Bolton chose a sample of sixty-four London merchants (mercers, grocers, drapers, haberdashers, vintners, fishmongers, tailors, shearmen and salters) appearing in the Borromei ledger(s) for 1436–9 and studied their credit relation with the Borromei bank.²⁹ He also listed them by turnover of their accounts. Table 6.3 includes mercers who appear in the list with a turnover greater than £100. This sample consists only of identified people, so there could be others with an equal or a higher turnover.

Similar calculations can be made from the other surviving ledgers; for example, the data from the Bardi ledgers of the 1490s are shown in Table 6.4. In this case there is a similar number of mercers with a turnover greater than £100, ranging from Thomas Rich to Richard Berne. Values are to be compared with care, however, because the sixty-year time-span needs to be taken into account.

It is not easy to assess the significance of these figures in terms of the mercers' wealth or activity, because of the scarcity of other surviving data. In 1474 one third of the almost 100 mercers of the livery were worth between £66.70 and £100 in goods.³⁰ But the value of the commercial operations they were undertaking could have been higher.

(*sec. XIII–XX*), *Proceedings of the Conference of the Società Italiana degli Storici dell'Economia (Milan, 14–15 November 2008)*, ed. F. Amatori and A. Colli (Milan, 2009), pp. 346–50 and pp. 1329–41 of the CD-ROM edition; and with J. L. Bolton, 'The Borromei bank research project'.

²⁸ On the bibliography used for the identification of names, see n. 35.

²⁹ Bolton, 'London merchants', pp. 53–73.

³⁰ S. Thrupp, *The Merchant Class of Medieval London* (Ann Arbor, Mich., 1962), p. 108.

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Table 6.2. London mercers who were aldermen and mayors or who were knighted

B = Alberti (1436); C = Borromei (1436–9); D–G = Salviati (1445–64); H–I = Bardi (1492–8)

Name	Alderman	Mayor	Knighted	Ledger where they appear							
				B	C	D	E	F	G	H	I
Alwyn, Nicholas	1496–1506	1499–1500								x	
Boleyn, Geoffrey	1452–63	1457–8			x						
Bradbury, Thomas		1509–10									x
Cantelowe, William	1446–61				x						
Chalton, Thomas	1433–52	1449–50			x						
Eastfield/Estfeld, William	1423–46	1429–30, 1437–8	1439		x						
Fielding, Geoffrey	1446–60	1452–53			x						
Frowick, Henry	1424–57	1435–6, 1444–5			x						
Lambard/Lambart, John	1460–70								x		
Large, Robert	1429–41	1439–40			x						
Locke/Lok, John	1463						x				
Melreth, William	1429–46			x							
Middleton, John	1456–62							x			
Olney, John	1435–58	1446–7			x						
Stockton, John	1463	1470–1	1471				x	x	x		
Verney, Ralph	1457–78	1465–6	1471						x		
Wandesford, Thomas	1426–46					x					
Ward/Warda, John	1468–76								x		
Wiche, Hugh	1458–68	1461–2	1465	x	x		x		x		
Wyndout, Thomas	1499–1500									x	x

Source: See Appendix, pp. 127–35 below.

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Table 6.3. London mercers with turnover value over
£100 in the Borromei ledger (1436–9)

Year(s)	Name(s)	Turnover in £*
1437–9	Broddesworth [Brodde], John	1,179.67
1437–9	Stevens [Stephens], William	466.68
1438	Boleyn, Geoffrey	422.13
1438–9	Olney, John	408.25
1437–9	Bateill [Bataille], Thomas	362.02
1437–9	Feldyng [Fielding], Geoffrey	300.68
1436–9	Osbarne [Osborn], Thomas	270.45
1436–9	Dyke, Hugh	258.14
1438–9	Derham, John	231.56
1438–9	Notebroun [Nutbrown], John	200.00
1438–9	Smyth [Smith], John	190.00
1438–9	Estfield [Eastfield], William	186.67
1438–9	Derham, John and Oliver, William	172.60
1438–9	Orable, Alexander	160.00
1439	Orable, Alexander and others	140.71
1438–9	Salman, John and Edwards [Everard], Richard	119.00
1438–9	Trusbot [Trusbut], John and Barron [Baron], Robert	108.13

Source: Isola Bella, Archivio Borromei, Mastro n. 7; J.L. Bolton, ‘London merchants and the Borromei bank in the 1430s: the role of local credit networks’, in *The Fifteenth Century X. Parliament, Personalities and Power: Papers Presented to Linda S. Clark*, ed. H. Kleinecke (Woodbridge, 2011), pp. 72–3.

* Rounded to two decimal places.

The wide variety of services offered by the Italian banks in London manifested itself both at local and international level. It ranged from credit to the transfer of money, and from the sale to the purchase of goods. The financial means and the international network established by the Italians was crucial: ‘Italian bankers were providing valuable services to their London clients year in and year out, services that were not available to their provincial competitors and which may have helped mitigate the effects of any contraction in credit related to a fall in the money supply’.³¹

³¹ Bolton, ‘London merchants’, p. 70.

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Table 6.4. London mercers with turnover value over £100 in the Bardi ledgers (H = 1492–4, I = 1495–8)

Surname		Name	note	H	I	Turnover in £*
From document	Standardized					
Ricci, Riccy	Rich	Thomas		x	x	1,486.20
Butteri, Butri	Butte (?)	William		x	x	706.02
Windutte	Wyndout	Thomas		x	x	484.80
Bell	Bell, Belle (?)	Thomas	individually	x	x	387.10
			with Triern	x	x	108.00
			John			
Rutes	Root	John			x	301.80
Rausom	Rawson	Avery		x	x	298.13
Bonecher	Bourchier	Roger			x	240.63
Aus, Aux, Haus	Hawe	Christopher		x		197.24
Briam, Brian	Brian	Harry		x	x	195.21
Westom	Weston	William		x		149.00
Lachin, Lakim	Lakon, Lakyn	Richard		x	x	141.68
Nellson	Nelson (?)	Thomas			x	139.25
Burton	Burton	John	with	x		125.60
			Guarding			
			Thomas jr.			
Hynde	Heende	Thomas	with Gentle		x	107.88
			James			
Bernes	Berne	Richard		x		104.17

Source: Florence, Archivio Guicciardini, *Carte Bardi*, 11; *Carte Bardi*, 12.

* Rounded to two decimal places.

Thomas Rich, for example, who is shown in Table 6.4 as the mercer with the highest turnover, had been a client of the Bardi bank since before the opening of the first surviving ledger (the opening entry is a carry-over from the previous – alas lost – book). The balance of his account was left free to fluctuate from above to below zero, and up to a maximum of *c.*£100–£150 in either direction, as shown in Figure 6.1.

Some of the transactions in Rich's account are bills of exchange delivered from Antwerp (or Bruges) and payable by him in London to the Bardi company; the deliverer in the Low Countries was always an Italian (e.g. the Bolognese Giovan Gabriello Buonconti or the Florentine Cornelio Altoviti

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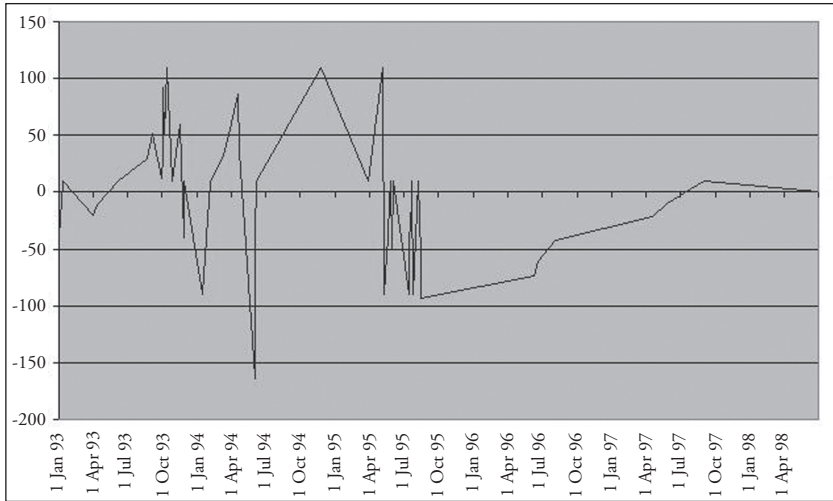


Figure 6.1. Movement of Thomas Rich's account, 1 January 1493–30 June 1498

Source: Florence, Archivio Guicciardini, *Carte Bardi*, xi, fos. 48, 223; *Carte Bardi*, xii, fo. 36.

& Partners) and the taker was an Englishman, sometimes Rich's attorney. In this way, Italian merchants acted as intermediaries for the mercers. It was an advantageous arrangement for the Italians, who could transfer money from the Low Countries to London, where they needed it in order to buy wool and cloth. Or Italian merchants could take up in London bills of exchange payable in the Low Countries by their correspondents to the mercers' attorneys (the mercers acting in this case as deliverers, and their attorneys as payees).

Bills of exchange are usually considered to be an instrument of credit or money-transfer characterized by precise due dates, often coinciding with a pre-set 'usance' (one month for bills from London to the Low Countries and vice versa). The few examples in Rich's account, however, show that this was not necessarily always the case (see Table 6.5). The payment was rarely made on the due date, but randomly and often in instalments.

Other transactions in Rich's account concern the sale of silk cloths, exported to England by the Bardi. Normally the mercer bought on credit, and at the moment of purchase issued written obligations payable many months later. For example, on 14 August 1495 he bought from the Bardi seven pieces of damask of various colours to the value of £65 3s 9d; the first half of the payment was due on 14 April 1496, the second half on 14 December 1496 (i.e. with a delay of respectively eight and sixteen months). On the same day Rich also purchased six pieces of black taffeta and one

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Table 6.5. Bills of exchange involving Thomas Rich as payor (Antwerp–London) and as deliverer (London–Bruges)

Date written	Route		Settlement date	Sum
28 Feb. 1493	Antwerp–London		31 Mar. 1493	£30 2s 6d
26 June 1493	Antwerp–London		30 Sept. 1493	£40 0s 0d
6 July 1493	Antwerp–London		6 Oct. 1493	£41 13s 4d
28 Sept. 1493	Antwerp–London	usance	28 Oct. 1493	£100 0s 0d
28 Sept. 1493	Antwerp–London		28 Nov. 1493	£100 0s 0d
10 Apr. 1494	Antwerp–London	sight	21 Apr. 1494	£50 0s 0d
3 June 1494	London–Bruges		30 June 1494	£200 0s 0d

Source: Florence, Archivio Guicciardini, *Carte Bardi*, xi, fos. 48, 223.

piece of red taffeta for a total of £38 14s 4d. The two payments were due ten and twenty months later (respectively June 1496 and April 1497). Despite the deferments, payments were often made past the due date: the instalment due in April 1496 was paid between 8 and 20 June, the payment due in June was made in August, the payment due in December was made between April and May 1497 and the payment due in April 1497 was made in September.³² Table 6.6 shows the details of these commercial transactions.

Table 6.6. Purchase of silk cloths by Thomas Rich, 1495–7

Date of purchase	Type of cloth	Price	Date payment due	Sum due	Date payment made	Sum paid
14 Aug. 1495	damask, 7 pieces	£65 3s 9d	14 Apr. 1496	£32 11s 10d	8 June 1496	£20 0s 0d
					20 June 1496	£12 11s 10d
			14 Dec. 1496	£32 11s 11d	18 Apr. 1497	£20 0s 0d
					27 May 1497	£12 11s 11d
14 Aug. 1495	taffetà, 6 pieces	£38 14s 4d	14 June 1496	£19 7s 2d	4 Aug. 1496	£19 7s 2d
14 Aug. 1495	taffetà, 1 piece		14 Apr. 1497	£19 7s 2d	2 Sept. 1497	£19 7s 2d

Source: Florence, Archivio Guicciardini, *Carte Bardi*, xii, fo. 36.

³² Florence, Archivio Guicciardini, *Carte Bardi*, xii, fo. 36.

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Rich is only one example among many, although other accounts show variations in the types of transactions.³³ Bills of exchange did not always involve the 'classical' London/Low Countries axis, but could occasionally be sent to and from Italian towns (Venice in particular, but also Florence) or towns in other countries, such as Barcelona. But the exchange operation could also 'hide' a loan rather than being a means of transferring money. The bank could also act as an intermediary for Italian sellers based outside England, who sold cloth to London mercers; moreover it was able to offer its clients services such as the extension of credit and local or international payments via giro credit transfer.

It is well known that at different times throughout the late middle ages, English merchants – as well as other compatriots – showed a certain level of antagonism towards the Italians, in particular towards Italian merchants, who were accused of acting in underhand ways and drawing wealth away from England. It is therefore ironic, as Jim Bolton put it, that we find 'most of our evidence on how credit worked in practice from the ledgers of the "hated" Italians'.³⁴

³³ Commercial transactions involving mercers in 1436–9 are shown in Bolton, 'London merchants', pp. 59–61; in those examples, however, steady cash repayments seem the rule, with payments often completed before the due date.

³⁴ Bolton, 'London merchants', p. 71.

Appendix

London mercers in fifteenth-century Italian account books

This appendix lists the mercers who appear as account holders in fifteenth-century Italian account books. Docs C–I are complete ledgers; Doc. A is a small fragment. Doc. B is a balance sheet and therefore the number of clients of the bank might have been higher, but if an account was opened and closed before the balance sheet was drawn, the client would not appear; moreover, whereas in the other cases all the transactions of the account holder are recorded, both on the *Dare* (debit) and the *Avere* (credit) side, here only the balance of the account at a given date (1 November 1436) appears and therefore any activity is ‘concealed’.

Presence in a ledger does not necessarily mean that the activity is recorded throughout the entire duration of the ledger itself: it is possible that there is a single mention on just one date.

When two (or more) mercers hold an account in association, this has been highlighted in the list; it is possible, even within the same ledger, for a mercer to appear individually, or in association with others. In such cases the Appendix bears multiple entries.

The list includes only individuals who are specifically identified in the documents as mercers (*mercieri*). Given the difficulties for Italians in transcribing English names, these are often misspelled and are inconsistent, even within the same ledger. The modern English version, however, is consistent across different sources. As far as possible, all versions of the name spellings are given in the table.³⁵

The documents are indicated as follows:

- A London, College of Arms, M.10 (fragment) (1422–4)
- B Florence, Archivio di Stato, *Mercanzia*, 271, fos. 172–8 (1436)
- C Isola Bella, Archivio Borromei, Mastro n. 7 (1436–9)
- D Pisa, Scuola Normale Superiore, *Archivio Salviati*, Libri di commercio, I serie, 333 (1445–8)
- E Pisa, Scuola Normale Superiore, *Archivio Salviati*, Libri di commercio, I serie, 336 (1448–51)
- F Pisa, Scuola Normale Superiore, *Archivio Salviati*, Libri di commercio, I serie, 341 (1451–5)
- G Pisa, Scuola Normale Superiore, *Archivio Salviati*, Libri di commercio, I serie, 344 (1453–64)

³⁵ For the identification and the modern version of names I mainly referred to *The Medieval Account Books of the Mercers of London. An Edition and Translation*, ed. L. Jefferson (2 vols., Farnham, 2009) and to A. F. Sutton, *The Mercy of London: Trade, Goods and People, 1130–1578* (Aldershot, 2005).

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- H Florence, Archivio Guicciardini, *Carte Bardi*, II (1492–4)
 I Florence, Archivio Guicciardini, *Carte Bardi*, 12 (1495–8)

Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Abbot	Abot	John				x						
Alfold	Alford, Arfold	Peter				x						
Alwyn	Aluym	Nicholas									x	
Alwyn	Aluym	Nicholas	with Cantelowes								x	
Alwyn (?)	Allum, Allume	Robert						x				
Alwyn (?)	Aliam, Alum	Robert	with Middlemore					x				
Andrew(e)	Andrea	John							x			
Andrew(e)	Andra	John	with Hartwell								x	
Arneway	Arney	Robert	with Orable and others			x						
Arthur	Arter, Artere	John					x	x				
Arthur	Arter, Attere	William					x	x				
Ashwell	Ascivelle	Henry, Harry								x		
Asshe (?)	Aishe, Aithe	Humphrey	with Awbrey								x	x
Asshe	Asce, Ascie	John	with Stephens					x				
Asshe	Ascy	Reynold									x	
Awbrey	Awbre	Richard	with Asshe								x	
Barby	Barbi	John	with Verney			x						
Baron	Baron, Barone	Robert					x	x	x			
Baron	Baron, Barone	Robert	with Trusbut			x						
Barret	Beret	John				x						
Basford	Basfordi	Roger									x	
Bataille	Bataglia	Thomas				x						
Bell, Belle (?)	Bell	Thomas									x	x
Bell, Belle (?)	Bell	Thomas	with Triern								x	x
Belyngton (?)	Berlinton	John				x						

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Berne	Bernes	Richard									x	
Blower	Blouar	Geoffrey								x		
Boleyn	Bologna	Geoffrey				x						
Boleyn	Bologna	John							x			
Bonefaunt, Bonyfaunt	Boninfante	Richard							x			
Bonefaunt, Bonyfaunt	Bonifante	Roger								x		
Bothumselle	Botomisele, Botomixel	John				x						
Bourchier	Bonecher, Bonechera	Roger										x
Bradbury	Bradeberi	Thomas										x
Brian	Briam, Brian	Harry									x	x
Brice	Bris	Thomas					x			x		
Brice	Bris	Thomas	with Draper John, hostellier							x		
Brice	Bris	Thomas	with Gregory				x					
Brice	Bris	Thomas	with Redeknape				x					
Brodde, Brodsworth	Brodd, Brodde, Brode, Brodo	John				x	x					
Burgoyne	Borghognia	Thomas								x		
Burton	Burton	John	with Guadring								x	
Burton	Burton	John	with Orable and others			x						
Butte (?)	Butteri, Butri	William									x	x
Cantelowe	Cantelo	heir of Harry	with Alwyn								x	
Cantelowe	Cantalo, Chantalo	John				x						
Cantelowe	Cantalo, Chantalo	William				x			x	x		
Catisby	Chatesbi	Thomas							x			
Chacombe	Ciachonb, Ciachonbo	John							x			

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Chalton	Cialton	Thomas				x						
Chamber	Ciambra	John							x			
Charlton (?)	Cherton, Cierton	Richard	with Colard			x						
Claver	Claver	Richard						x	x			
Colard	Colardo	Thomas				x						
Colard	Colardo	Thomas	with Charlton			x						
Colet	Choletto, Cholletto	John								x		
Colet	Colette	Robert									x	
Colwelle	Gholduel, Gholduell, Gholduelle	John							x	x		
Cosham (?)	Chorson	John										x
Cosyn	Chugino	Robert							x			
Cotford	Ghotiforde, Ghottiforde, Ghottifort, Ghottiforte	John				x	x	x				
Damian	Damian, Damiani	Robert				x	x					
Dautre	Datri	William				x						
Davers	Daversa	Harry									x	x
Davy (?), Dawes (?)	Daw, Dawo	John										x
Denton	Denton	William	with Strother							x		
Derham	Deram, Diram, Dirame, Durame	John				x						
Derham	Deram, Dirame, Diran	John	with Oliver			x						
Dodewhale	Dodenal, Donedel	John				x						
Donne (?)	Dum	John							x			
Dounton	Donton	Thomas	with Onehand			x						

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Drayton	Draitton, Drayton	Nicholas				x				x		
Dyke	Dich	Hugh				x						
Eastfield, Estfeld	Stefeld, Stefelde	William				x						
Egerton	Egiertom, Ergienton	William									x	
Everard	Eduard, Evuort	Richard	with Salman			x						
Everley	Everlei	Richard						x	x			
Everley	Everlei	Richard	with Rich					x				
	Ferricche, Ferigghe	Henry						x				
Fielding	Feldinghe	Geoffrey				x						
Fielding	Feldinghe	Richard										x
Fleet, Flete	Flit	Everard				x						
Foucher	Fugier	Matthew				x						
Fyler	Fillere	Thomas						x	x	x		
Gentle	Gentile	James	with Heende									x
Godyng (?)	Guadring	Thomas jr	with Burton								x	
Gregory	Greghori	Robert					x					
Gregory	Greghori	Robert	with Brice				x					
Greston (?), Griston (?)	Cristem, Criston	John										x
Harrow	Aro	John								x		
Hartwell	Artuell	John	with Andrew(e)								x	
Hawe	Aus, Aux, Haus	Christopher									x	x
Haxey	Axei, Axsei	William			x		x					
Heende	Inde	John	with Roo				x		x			
Heende	Hynde	Thomas	with Gentle									x
Heende, Hynde	Hinde	William								x		
Holte	Olto, Olton	William				x	x					
Howelle	Howelle	Philip							x			
Howlak	Howlach	Nicholas							x			
Humberstone	Onbroston	Thomas				x						

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
	Humbysly	William	with Welle Richard									x
Hunt (?)	Honte	William									x	x
Hutton (?)	Optum	Thomas							x			
Lakon, Lakyn	Lachin, Lakim	Richard									x	x
Lambard, Lambart	Lanberto	John								x		
Large	Largie	Robert				x						
Lightholders	Lichtholders	William									x	
Littleton	Litelton, Litoltona	John				x		x	x			
Locke, Lok	Locco	John						x				
Malvern	Malverna	John				x						
March	Marcis	Ralph							x	x		
March (?)	Marres, Marressa	Ralph	with Niche					x				
Marchall(e)	Marcialla	John									x	
Meleman	Milman, Milmanno	Geoffrey						x				
Melreth	Melrede	William				x						
Melreth	Melrede	William	with Cannings Thomas (grocer)			x						
Middlemore	Midlemuro	Robert	with Alwyn Robert					x				
Middlemore	Midelmuro	Roger									x	
Middleton	Mideltone	John							x			
Miles	Miles, Mules	William					x	x				
Mill	Mill, Myll	John										x
Muschamp	Michanp, Miscanp, Mischamp, Muscanp	Thomas				x	x	x				
Nelson (?)	Nellson	Thomas										x
Newton	Niuton	John				x						
Newton	Nionton, Nioton	William				x						

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Niche, Nyche	Nizza	Thomas					x	x	x			
Niche, Nyche	Nizza	Thomas	with March					x				
Nutbrown	Notobruno	John				x						
Oliver, Olyver	Hulivieri, Ulivieri	William					x	x				
Oliver, Olyver	Oliveri, Olivero	William	with Derham			x						
Olney	Olne, Olnee	John				x						
Onehand	Onane	Thomas	with Dounton			x						
Orable	Arable, Arablet, Horabile, Orabile	Alexander				x	x	x				
Orable	Arabel	Alexander	with Arnewey, Burton, Stockton			x						
Osborn	Osbarne, Usbarne	Thomas				x						
Osterich	Osterich, Osteriche	Thomas				x						
Overton	Overton	Robert							x			
Penne	Pena, Penne	John				x		x				
	Potter	Ralph									x	x
Pratte	Prat	William							x			
Rankyn	Ranichino, Renichino, Renchino	John				x	x	x	x	x		
Rawson	Rausom	Avery									x	x
Rawson	Rausom	Christopher										x
Redeknappe	Reddechanap, Redichanap	William					x					
Redeknappe	Redcanep	William	with Brice				x					
Reyner	Rinieri	John						x		x		
Reynwell (?)	Renille, Renyll	Eustace										x
Rich	Ricci, Riccy	Thomas									x	x
Rich, Ryke	Riccha	Thomas						x		x		
Rich, Ryke	Riccha	Thomas	with Everley					x				

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Roo	Roo	John						x	x	x		
Roo	Roo	John	with Heende, John				x		x			
Rook	Rocho	Geoffrey				x						
Roos (?), Royse (?)	Rois	William			x							
Root	Rutes	John										x
Rothwell	Rottuell, Rotwell	William									x	x
Salman	Salmon	John	with Everard			x						
Sampson (?)	Sanson or Ianxon	William				x						
Scrayingham	Schranigham	Robert								x		
Sely, Cely	Ciellei	John								x		
Seymour	Saymor	John				x						
Sharp, Sharpe (?)	Sciorp	Walter		x								
Shelley (?), Shelly (?)	Sill	John									x	
Smith (?)	Ismi, Smit	John				x	x	x				
Sparam	Sporem	John	with Stephens			x						
	Spesuell	William									x	x
Spire	Spira	Philip						x				
Stephens	Steven	John	with Asshe					x				
Stephens	Stivano	William				x						
Stephens	Stevyns	William	with Sparam			x						
Stockton	Stochton, Stocton, Stotton	John						x	x	x		
Stockton	Stocton	John	with Orable and others			x						
Stratton	Strettone	Augustin					x	x				
Strother	Struder	Robert	with Denton							x		
Style	Stil	Thomas				x						
Sutton	Saptton	John	with Ward							x		
Tickhill	Techele, Ticchele	Thomas							x	x		

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Surname		Name	Notes	Ledger								
Standardized	Original			A	B	C	D	E	F	G	H	I
Townesende	Touinsend	William			x							
Townland	Toland, Tolande	William				x						
Traynelle	Traynello	Thomas				x						
	Triern	John	with Bell								x	x
Trusbut	Tursbett, Trusbot, Trusbut	John			x							
Trusbut	Tursbett, Trusbot, Trusbut	John	with Baron			x						
Upton (?)	Utton	Robert	(in Southampton)					x				
Upton (?)	Utton	Thomas						x		x		
Usher	Wssaere, Wseiere	William									x	
Verney	Vernei	Ralph				x			x	x		
Verney	Verne	Ralph	with Barby			x						
Wandesford	Vuandisforte	Thomas					x					
Ward, Warda	Ward	John	with Sutton							x		
Washbourne	Vascamborn	John			x							
Welles	Vueles	John				x						
Welles	Welles	Richard										x
Welles	Welle	Richard	with Humbyssly									x
Welles	Welys	Richard	with Wimbush								x	
Welles	Vueles, Vuelles	Thomas				x						
Weston	Westom	William									x	
White (?)	Witte	Thomas									x	
Wiche	Huicci, Icci, Ucci, Viuc, Ycci, Wicc, Wicci, Wich, Wiche	Hugh			x	x	x	x			x	
Wimbush	Wimbische, Wimbissh	William	with Welles								x	
Wyndout	Windutte	Thomas									x	x

7. Settled or fleeting? London's medieval immigrant community revisited*

Jessica Lutkin

The publication in 1998 of *The Alien Communities of London in the Fifteenth Century*, edited by J. L. Bolton, presented an important reassessment of the alien population of London and its suburbs. His reappraisal of the statistics afforded a new perspective on the ground-breaking research of Sylvia Thrupp, undertaken in the 1950s.¹ Her articles on immigrants in England in general and in London in particular were pioneering, and an enormous undertaking which have been relied upon heavily by many students of the period.² However, against a backdrop of contemporary racial tension as a result of mass immigration following the end of the Second World War, her view of the immigrant experience in the fifteenth century was through somewhat rose-tinted spectacles. As a result of research since Thrupp's publications, the rose-tinted spectacles have been removed, providing much greater knowledge of the popular feeling against immigrants in the fourteenth and fifteenth centuries.³ Revising Thrupp's figures for London, Bolton concluded that 'resident aliens formed at least six per cent of the population, a figure substantially higher than the two to four per cent suggested by Thrupp'.⁴ He also raised many further questions, delving into the problems with the data available to us and our interpretation of it.

* This chapter relies on research conducted during the AHRC funded project 'England's immigrants 1330–1550' at the University of York, in partnership with HRI Sheffield and The National Archives, directed by Professor Mark Ormrod. Professor J. L. Bolton's support of the project has been invaluable. See <<http://www.englishimmigrants.com>> for the project's database. My thanks to Dr. Jonathan Mackman for his supporting research, in particular additional material from the account rolls (TNA: PRO, E 359). My thanks to Professor Mark Ormrod and Dr. Jonathan Mackman for commenting on earlier drafts of this chapter.

¹ *The Alien Communities of London in the Fifteenth Century: the Subsidy Rolls of 1440 and 1483–4*, ed. J. L. Bolton (Stamford, 1998).

² S. L. Thrupp, 'A survey of the alien population of England in 1440', *Speculum*, xxxii (1957), 262–73; S. L. Thrupp, 'Aliens in and around London in the fifteenth century', in *Studies in London History Presented to P. E. Jones*, ed. A. E. Hollaender and W. Kellaway (1969), pp. 251–72.

³ See Bolton, *Alien Communities*, pp. 38–40 for a summary of anti-alien feelings.

⁴ Bolton, *Alien Communities*, pp. 8–9.

This chapter offers further analysis, adding to the work of both Bolton and Thrupp, and revisiting many of the questions posed by Bolton, including the permanence of the alien community in London.⁵

The present study is primarily based on the fifteenth-century alien subsidies, as used by Thrupp and Bolton, supported by various other documents.⁶ The alien subsidy was granted by parliament at irregular intervals between 1440 and 1487. It was instigated partially as a response to the popular unrest against resident immigrants, and was in effect a poll tax. Initially granted by parliament in 1440, the grant was renewed a further five times until 1487. The tax divided the aliens into two groups, categorized as householders and non-householders, initially paying 16*d* and 6*d* respectively. Children under the age of twelve were not liable for the tax, and neither were alien wives of English husbands.⁷ With each new grant of the subsidy, these groups evolved, and new rates were introduced for certain groups, such as merchants. Exemptions for previously included national groups increased, beginning with the Channel Islanders and the Irish, until by 1483 the Hanse, Normans and Bretons were excluded, as were certain merchants from Spain, Italy and Brittany.⁸ The initial enthusiasm for the assessment and collection of the tax soon waned, and despite the renewals of the subsidy in 1442, 1449 and 1453, only the first grant in 1440 and the penultimate grant in 1483 saw comprehensive assessments of England's resident aliens.

Not only were there regular changes to the conditions of the subsidy, but there was little regularity in the taxation across the country. The assessment and collection of the tax was left to interpretation by the local authorities, resulting in wide variations of detail and accuracy in the surviving sources. Indeed, any fervour in making the initial assessments soon dissipated, and the collectors seem to have been lenient with non-payers. While it appears that London was particularly rigorous and diligent in its assessment of the tax, especially when compared to other counties of England, there was not as much diligence when it came to collecting payment. This comes as little surprise – Londoners were the most vociferous when it came to the alien population, and perhaps saw this poll tax as a useful local census and a tool against those it was not keen to accommodate in the city.⁹

⁵ Bolton, *Alien Communities*, p. 3.

⁶ TNA: PRO, E 179.

⁷ Alien wives of alien husbands were also not considered liable for the tax on most occasions.

⁸ Bolton, *Alien Communities*, pp. 3–4 (Thrupp, 'Survey', pp. 262–4, and Thrupp, 'Aliens in and around London', p. 254 for more details).

⁹ Thrupp, 'Aliens in and around London', pp. 256–8.

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While they are the most substantial source, the alien subsidies are not the only source for resident immigrants in England. Other documents include letters of denization, which have been gleaned from patent rolls, as have the details of those swearing an oath of fealty to the crown.¹⁰ Other grants in the patent rolls record the names and details of resident aliens, such as letters of protection, where deemed relevant, and licences to remain.¹¹ Denization rolls from the mid Tudor period are also a vital source of information.¹² While they reveal a relatively small number of aliens, they provide an important alternative and supporting view of the immigrant population in London.¹³

In summary, between 1336 and 1584, 17,376 instances of resident aliens can be positively identified in London.¹⁴ Of these, 325 individuals in London swore the oath of fealty in 1436, 144 obtained letters of denization (the majority in 1544), fifty-one obtained licences to remain (predominantly Scots in 1480/1), and twenty-two were granted letters of protection (in the fourteenth century). The remaining 16,823 are all to be found in the tax assessments between 1441 and 1488. In London's suburbs, a further 6,725 aliens can be positively identified living in Southwark (631) and Middlesex (6,094). However, the scope of this chapter does not allow for a full discussion of the suburbs, and will focus on the city's alien population.¹⁵

The survival rate of the alien subsidy documents for London is particularly high, and while there are some gaps in the records, their loss is not felt too greatly. As Table 7.1 demonstrates, documents survive for

¹⁰ Letters of denization began to be issued after 1378. For further discussion of the development and use of letters of denization, see B. Lambert and W. M. Ormrod, 'Friendly foreigners: international warfare, resident aliens and the early history of denization in England, c.1250–c.1400', *English Historical Review*, cxxx (2015), 1–24. Oaths of fealty to the crown were sworn by particular groups of aliens at certain times of crisis. The 1436 oaths of fealty is the most notable, as it followed the breakdown of the Anglo-Burgundian alliance and involved individuals pertaining from the Low Countries. Irish and Welsh residents in England swore an oath of fealty to the crown in 1413.

¹¹ *CPR 1330–1509; Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII, 1509–1547* (23 vols., 1862–1932).

¹² Westminster Abbey Muniments (WAM) 12261; TNA: PRO, C 67/72–73; *Letters of Denization and Acts of Naturalization for Aliens in England: 1509–1603*, ed. W. Page (Lymington, 1893).

¹³ Only 15% of the individuals in the 'England's immigrants 1330–1550' database are from sources other than the alien subsidies.

¹⁴ These figures include multiple instances of individuals who occur twice or more. No attempt has been made to remove multiple entries, as the data range over time and the repetition is indicative of the long-term presence of many immigrants. For further discussion of multiple entries, see below.

¹⁵ For Bolton's study of the suburbs, see Bolton, *Alien Communities*, 'Introduction'.

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each parliamentary grant of the subsidy (in 1440, 1442, 1449, 1453, 1483 and 1487). For some years only the particulars of account have survived, and consequently only the sum total of individuals for the year are known, rather than names, and for a couple of years where no individual subsidy records survive at all, the main account roll at least provides the summary figures.¹⁶ The gap in the figures highlighted by Thrupp at the beginning of the period can therefore be satisfactorily filled.¹⁷

Table 7.1. Alien subsidies for London, 1441–88

TNA: PRO, E 179/-	Notes	Year	Tax collection	Individuals ^a
241/327 pt. 2	Non-householders	1441	1440 1	1392
144/73	Householders who had moved			
236/86	Non-householders who had moved			
236/85	Individuals who were deceased, native, Welsh, or too poor to pay subsidy			
<i>Missing</i>	<i>E 359/28, rot. 1</i>	<i>1441</i>	<i>1440 1&2</i>	<i>1835</i>
144/42		1441	1440 3&4	1743
144/52		1443	1440 5&6	1797
144/53		1443	1442 1	1159
144/50		1443	1442 2	1021
<i>Missing</i>		<i>1444</i>	<i>1442 3</i>	–
144/54		1444	1442 4	1114
144/58	Tower ward only			
144/57	Bishopsgate ward only			
235/23		1449	1449 1	929
144/63	Particulars of account	1450	1449 2	617
144/64		1451	1449 3	708
<i>Missing</i>	<i>E 359/28, rot. 15d</i>	<i>1452</i>	<i>1449 4</i>	<i>878</i>
<i>Missing</i>		<i>1455</i>	<i>1453 1–6</i>	–
235/58		1456	1453 7&8	823
144/72		1457	1453 9	653
236/74		1457	1453 10	593
236/76	Particulars of account	1458	1453 11&12	524

¹⁶ TNA: PRO, E 359/28, 30, 32, 33.

¹⁷ Thrupp, 'Survey', p. 265.

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TNA: PRO, E 179/-	Notes	Year	Tax collection	Individuals ^a
<i>Missing</i>		1459	1453 13&14	–
<i>Missing</i>	<i>E 359/30, rot. 28</i>	1460	1453 15&16	591
<i>Missing</i>	<i>E 359/33, rot. 4</i>	1461/2	1453 17&18 ^b	527
<i>Missing</i>	<i>E 359/33, rot. 4</i>	1463	1453 19&20	574
144/68		1464	1453 21&22	399
144/69		1464	1453 23&24	575
236/96		1465	1453 25&26	462
<i>Missing</i>	<i>E 359/33, rot. 64</i>	1466	1453 27&28	490
236/107		1467	1453 29&30	650
144/70	Householders and non-householders	1468	1453 31&32	637
236/111	Merchant strangers (householders and non-householders)			
144/67		1469	1453 33&34	569
242/25		1483	1483 1	1595
288/1A	Particulars of account	1488	1487 1	802

^a Including wives who were not liable to pay the tax until 1483.

^b In all other counties the 17th to 22nd collections were all collected at the same time following Edward IV's accession to the throne. It is currently unclear why London acted differently.

Figure 7.1 shows the distribution of the London aliens in the tax records. The largest numbers are to be found in the early collections; the numbers then fall through the middle of the period, and do not rise back to the same level again until 1483. Bolton calculated that in 1483/4 there were some 3,400 alien men, women and children in London and its suburbs, forming at least six per cent of the general population.¹⁸ Using Bolton's assumptions and calculations, it can be estimated that in 1441 a similar number were living in the city and its suburbs, at approximately 3,540.¹⁹ However, there was a decline in the number of immigrants recorded as resident in London

¹⁸ Bolton, *Alien Communities*, p. 8.

¹⁹ In the city there were 1,743 individuals, of which 243 were married couples, plus an assumption of 486 children (at two per married couple), resulting in an estimated 2,229 individuals. In Middlesex there were 399 individuals, of which approximately 55 were married couples, with an assumption of 110 children, resulting in an estimated 509 individuals. In Southwark, according to Bolton's figures, there were 631 individuals, of which 84 were married couples with 168 children, totalling 799 individuals.

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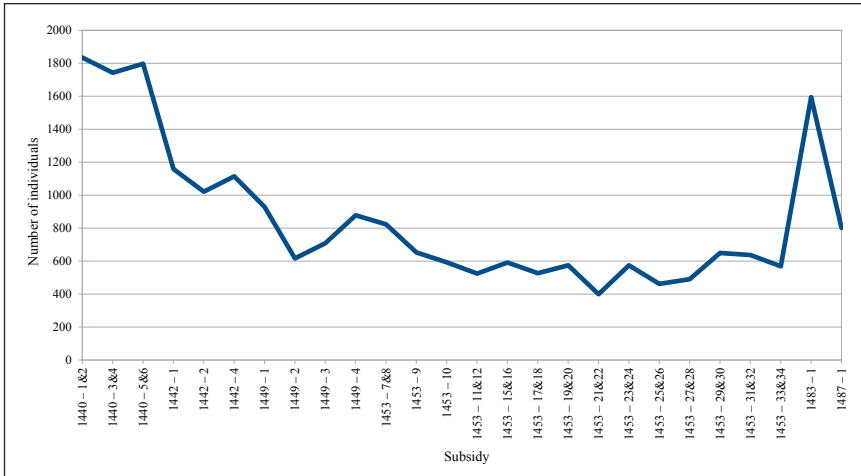


Figure 7.1. Aliens assessed in London, 1441-88

between the dates 1440/1 and 1483/4. The overall pattern of decline is typical of the patterns to be found across the rest of the country, for example as shown in Figure 7.2 illustrating Bedfordshire and Buckinghamshire. Yet the difference is in the sheer quantity of named individuals. The lowest number of aliens assessed in London was in 1464, where 399 names were returned. While Bolton views this dip as unlikely to have been caused by trade depression and plague alone, the dip in London is not as exaggerated as it is for the other counties of England.²⁰ In the 1450s and 1460s in the counties of England, the number of individuals fell to the tens and twenties, and in some cases none were recorded at all. It is highly notable that the individual fall-off rate was not as high in London as in other counties. The average number of aliens assessed in London fell 64 per cent from the 1440 subsidy assessments to the 1453 assessments, whereas in Hampshire and Southampton, for example, the fall was 96 per cent.²¹ This suggests that, taking into account the increasing number of exempt nationalities, the authorities in London were exceptionally diligent in this matter, even in a plague year.

The 16,822 instances of aliens assessed to pay the alien subsidy across the forty-three year period in London comprised a wide variety of individuals, and the figure also includes the wives of aliens, even though they were not specifically taxed until 1483, when they were assessed as

²⁰ Bolton, *Alien Communities*, p. 25; Thrupp, 'Aliens in and around London', p. 258.

²¹ J. Lutkin, 'A survey of the resident immigrants in Hampshire and Southampton, 1330-1550', *Hampshire Studies: Proceedings of the Hampshire Field Club & Archaeological Society*, lxx (2015), 155-68.

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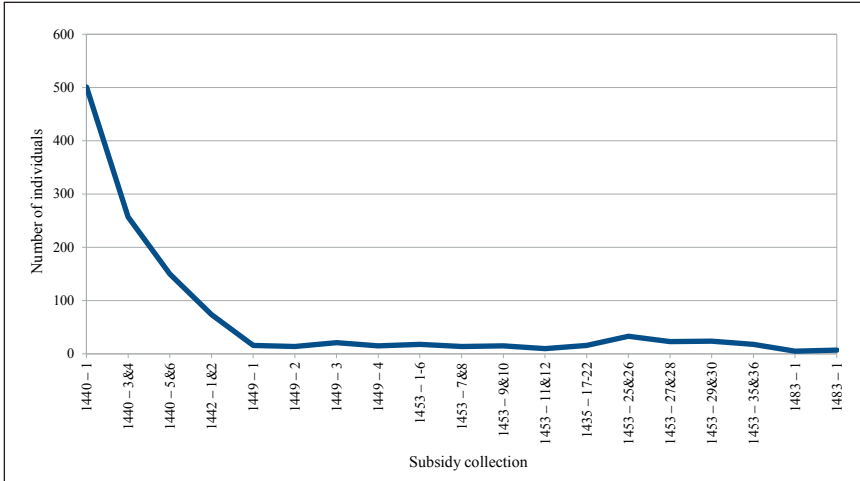


Figure 7.2. Aliens assessed in Bedfordshire and Buckinghamshire, 1440–83

non-householders.²² The vast majority of individuals were male, totalling 13,952, while 2,804 were female (1,452 of which were married to an alien), and sixty-six individuals cannot be identified by gender. There were 5,673 male householders who paid the higher tax rate, while 8,276 were male non-householders. Of the unmarried women, only 225 were recorded as householders, leaving 1,045 who were non-householders, and of the total 1,270 unmarried women, forty-three were widows. A total of 487 aliens were recorded as servants to 222 alien masters and mistresses, averaging two per household. The vast majority of alien servants in an alien household were male (424), while sixty-one were female and six were of unrecorded gender.

A number of families can be identified, many of which are apparent in the published 1483 assessment, as they are neatly listed in familial groups.²³ Some families in earlier assessments can also be identified, such as Arnold Abbrethen and his two unnamed sons, assessed in 1444, living in either Bishopsgate ward or Broad Street ward.²⁴ Henry Berman was assessed as a householder in Aldgate ward 1441, and he had two children over the age of twelve, John and Joan.²⁵ In total, twenty-six sons and twenty-one daughters were assessed to be taxed. Doubtless there were many more children, as discussed by Bolton, but were under the age of twelve and so not assessed.

²² In London, wives were only taxed in 1483/4, assessed to pay the non-householder rate. Thrupp chose to exclude them from her 1440 alien subsidy figures.

²³ Bolton, *Alien Communities*, p. 8.

²⁴ TNA: PRO, E 179/235/23, m. 2.

²⁵ TNA: PRO, E 179/144/42, m. 24.

It is a difficult task to estimate how many children were actually classed as aliens, as many children of immigrant couples could have been and were born in England, and therefore second-generation immigrants and technically English.²⁶ This is particularly in evidence in the later record of the Westminster denization roll of 1544, where many individuals are listed as being married and having children, and careful note is made that the children were born in England. Only a handful are positively identified as being foreign-born. It is highly likely that this was a similar scenario a century earlier. It is also impossible to suggest how many male immigrants were married to Englishwomen, and so reflecting their integration into the London community. Inter-marriage did occur, again as the Westminster denization roll demonstrates. Many were recorded as being married to Englishwomen, and in 1544 one London resident, Archilus de le Garde, had been married to his English wife for twenty-eight years.²⁷

A satisfactory statistical analysis of the occupations of London's resident immigrants is hard to reach, as occupations are only given in detail in the 1483 assessment, and have been thoroughly discussed by Bolton. As he surmised, 'this was an artisan-craftsman working population based on the family unit of production'.²⁸ Unfortunately, throughout the rest of the subsidy records, the only occupations that can be positively identified are servant, merchant and merchant's clerk or factor.²⁹ Merchants and their clerks and factors were taxed at different rates in the 1453 subsidy, and many non-householders were only identified as a servant of another individual, without giving their own name. Between 1440 and 1483, 715 merchants can be identified, with sixty-five merchant's clerks and twenty-nine factors. 1,291 servants can be positively identified, the majority of whom (1,117) were male servants. As noted above, some alien servants were identified as servants to alien householders in the assessments. In total, 222 alien householders employed 487 alien servants, some having particularly large alien households as a result. Most of these feature in the 1483 assessment, but there are a few earlier examples of smaller alien households. For example, in 1449 the Italian Benedetto Borromei was identified as having two unnamed alien servants.³⁰ He was a significant Milanese and Florentine merchant who was present in London between 1432

²⁶ Bolton adds two children per household to the 1483 figures, adding a further 720 to his total (Bolton, *Alien Communities*, p. 8).

²⁷ WAM 12261, m. 19.

²⁸ Bolton, *Alien Communities*, pp. 19–24.

²⁹ The City and London company records could provide more detail on occupations pre-1483, but this is beyond the scope of this chapter.

³⁰ TNA: PRO, E 179/235/23, m. 10.

and 1449.³¹ In 1456 John Hasard and Peter Mason were identified as having one unnamed alien servant each.³² The remaining servants were employed in English households, some of which can be identified. For example, Henry Sebbe was assessed in 1444 as a servant of Matthew Philip, a leading goldsmith in Farringdon Within ward.³³

One of the greatest challenges posed by the alien subsidies is identifying the nationalities of London's resident immigrants, as the details were not recorded by the assessors until 1483. Suggestions can be made regarding origin using an individual's surname, such as Frenchman/woman (143 individuals), or Dutchman/woman (314 individuals), or Irishman/woman (fifteen individuals), but this is not without issues. For example, a Lewis Scot features in the records, but he has been identified by Helen Bradley as an Italian.³⁴ Yet we do have to start somewhere, and unless there is any evidence to the contrary, it has been assumed that a national toponymic surname correlates to an individual's nationality.

The largest national group identified is the rather broad 'Teutonic' group, identified as such in the 1483 assessment. This is closely followed by the Italians, although, as Bolton noted, in 1483 they were exempt from the subsidy, but were still a sizeable community in London.³⁵ Another similarly large group are the 'Doche' and Netherlanders, closely followed by the French.³⁶ Other nationalities include Greeks, Irish, Icelanders, Portuguese, and Danish (Table 7.2). As discussed by Bolton, the 1483 label of 'Teutonic' or German was probably used indiscriminately to include 'Fleming' as well.³⁷ Including the Flemish group in the Teutonic/German group, the

³¹ *The Views of Hosts of Alien Merchants 1440–1444*, ed. H. Bradley (London Record Society, xlvii, 2012), pp. 272–3.

³² TNA: PRO, E 179/235/58, m. 1. Hasard was a resident of either Bishopsgate, Portsoken, Aldgate or Lime Street between 1451 and 1457. There is no further information on Peter Mason. As there were several recorded in the subsidy records for London, it is not possible to distinguish one from another.

³³ TNA: PRO, E 179/144/54, m.12. It is likely that this is Hans, recorded as a 'Dutchman', newly sworn into the Goldsmiths' Company on 9 May 1442 with Matthew Philip (*The Wardens' Accounts and Court Minute Books of the Goldsmiths' Mystery of London, 1334–1446*, ed. L. Jefferson (Woodbridge, 2003), p. 524). For Matthew Philip's biography, see T. F. Reddaway and L. Walker, *The Early History of the Goldsmiths' Company 1327–1509* (1975), pp. 301–2.

³⁴ H. Bradley, 'The Italian community in London c.1350 to c.1450' (unpublished University of London PhD thesis, 1992), p. 388; TNA: PRO, E 179/144/64, m. 11.

³⁵ Bolton, *Alien Communities*, p. 6. See also Bradley, 'Italian community' and Bradley, *Views of Hosts*.

³⁶ 'Doche', like 'Teutonic', was another generic term used to describe an individual from the Low Countries or Northern Germany, and was most commonly used in London.

³⁷ Bolton, *Alien Communities*, p. 30. See also p. 6 for a discussion of the Hanse.

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Table 7.2. Nationalities of resident aliens in London, 1330–1550

Nationality	Number of instances
'Teutonic'/'German'	1340
'Italian'	465
Genoese	233
Venetian	199
Florentine	152
Lucchese	61
'Lombard'	36
Milanese	7
'Doche'/'Fleming'/'Zeelander'/'Hollander'/'Gelderlander'	424
Scottish	215
French	213
Irish ^a	37
'Easterling'	31
Greek	27
Picard	25
Brabanter	20
Icelander	16
Welsh	6
Portuguese	4
Saxon	2
Gascon	2
Danish	2
Catalan/Spanish ^b	3
'Indian' ^c	2
'Roman'	1
Uncertain	13,229

^a Only recorded in the 1440 alien subsidy grant.

^b Bolton, *Alien Communities*, p. 7 for a discussion of this small group.

^c Bolton, *Alien Communities*, p. 29 for Bolton's discussion of these two individuals.

total reaches 1,764 individuals. Specific origins for this group are only given for those recorded in the 1436 oath of fealty, and the group remains non-specific in the remainder of the records.³⁸ Another problematic group is the French. As suggested by Bolton, it is highly likely that their nationality was hidden by their names in the records, and much more research is required on this elusive alien group in London.³⁹

The dominant Teutonic/German/Flemish migrant group brought into England many occupations beyond the somewhat stereotyped Flemish weaver, including cobblers and cordwainers, cappers and hatmakers, goldsmiths, tailors, beerbrewers and beermen, and other highly specialized crafts.⁴⁰ Other national groups present typical occupations, in particular the Italian merchants, clerks and factors using London as a trading outpost. The Scottish and French residents of London were predominantly servants, although some individuals were in skilled occupations, including tailors, joiners and a surgeon. However, it is still a matter of debate whether the push or pull factor was stronger in encouraging the skilled migrants to England.⁴¹

In Bolton's assessment of the geographical distribution of aliens, his main observation was that it was an uneven spread across the city.⁴² He identified the most heavily populated wards in the 1441 and 1483 assessments as Tower, Billingsgate, Dowgate, Vintry, Queenhithe, Candlewick Street and Langbourn, and this is consistent with the other subsidy collections, with a few exceptions. Portsoken, Dowgate and Vintry wards were far less populated with immigrants in the early 1440s than in 1483. However, Tower and Langbourn wards were consistently popular locations for immigrants to settle in from the 1440s to 1483. In the 1440s popular wards also included Cripplegate, Broad Street and Farringdon Without, but all three wards had an approximate drop of 50 per cent in their immigrant populations

³⁸ Thrupp, 'Aliens in and around London', p. 259.

³⁹ Bolton, *Alien Communities*, pp. 7–8. Thrupp suggested that the French preferred small towns and villages to London, but more work needs to be conducted to substantiate this (Thrupp, 'Aliens in and around London', p. 260).

⁴⁰ In particular, the flood of Flemish goldsmiths into London and Southwark from 1370 onwards has been discussed in detail in Reddaway and Walker, *Goldsmiths*, pp. 120–5.

⁴¹ Bolton, *Alien Communities*, pp. 32–4. It is still a matter of debate whether migrants left their homeland because a poor situation there, including conflict and economic decline, pushed them to seek a new home, or whether the promise of an economic boom and opportunities for better standards of living pulled them to their new place of residence.

⁴² Bolton, *Alien Communities*, p. 11. See also J. L. Bolton, 'La répartition spatiale de la population étrangère à Londres au XV^e siècle', in *Les étrangers dans la ville: minorités et espace urbain du bas Moyen Âge à l'époque moderne*, ed. J. Bottin and D. Calabi (Paris, 1999), pp. 425–37. The assessments for the 1440, 1442, 1449 and 1483 subsidies were conducted by individual wards, rather than consolidating the entirety of London. The assessments of 1449 saw wards being assessed together, such as Dowgate, Walbrook and Bridge wards.

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Table 7.3a. Aliens assessed in London by ward, 1441–83^a

Ward	1440 – 3&4	1440 – 5&6	1442 – 1	1442 – 2	1442 – 4	1483 – 1
Aldersgate	59	66	43	39	35	60
Cripplegate	143	151	59	49	62	86
Cornhill	45	63	45	43	43	6
Broad Street	110	152	154	136	91	41
Langbourn	170	154	154	141	143	137
Vintry	31	34	17	16	9	61
Bread Street	35	33	31	16	27	25
Dowgate	85	109	37	31	41	191
Walbrook	60	60	36	29	51	55
Aldgate	78	82	42	39	57	80
Lime Street	29	27	19	19	22	9
Portsoken	49	67	51	52	54	216
Bishopsgate	75	61	41	32	22	43
Cheap	24	30	24	19	20	33
Bassishaw	22	16	6	6	9	9
Coleman Street	49	42	24	21	20	23
Bridge	33	32	22	14	20	7
Candlewick Street	45	40	30	30	30	47
Billingsgate	66	83	44	36	51	77
Tower	136	132	99	90	128	139
Queenhithe	68	57	29	29	26	45
Cordwainer Street	19	22	20	14	25	34
Castle Baynard		26	27	17	31	21
Farringdon Within	114	86	34	34	43	46
Farringdon Without	198	172	71	69	54	104

^a Figures include all wives, even if they were not specifically taxed.

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Table 7.3b. Aliens by ward groupings, 1449

Ward(s)	Totals
Aldersgate and Farringdon Within	43
Cripplegate	32
Cornhill and Lime Street	48
Broad Street and Bishopsgate	139
Langbourn and Portsoken	168
Vintry and Queenhithe	28
Bread Street	11
Dowgate, Walbrook and Candlewick Street	127
Aldgate	53
Cheap and Cordwainer Street	22
Bassishaw and Coleman Street	21
Bridge and Billingsgate	93
Tower	74
Castle Baynard	8
Farringdon Without	62

Table 7.3c. Aliens by ward groupings, 1451

Ward(s)	Totals
Aldersgate and Cripplegate	33
Cornhill and Broad Street	96
Langbourn	115
Vintry and Bread Street	26
Dowgate and Walbrook	99
Aldgate, Lime Street, Portsoken and Bishopsgate	116
Cheap, Bassishaw and Coleman Street	33
Bridge, Candlewick Street, Billingsgate and Tower	103
Queenhithe, Cordwainer Street and Castle Baynard	29
Farringdon Within and Farringdon Without	58

by the time of the 1483 assessments. The alien population drop in Broad Street ward is at first glance surprising, particularly as it peaked in 1443 with 154 identified residents. As a large mercantile and banking centre, it should have remained a draw in 1483. However, the largest national group resident there is Italian, and it served as an enclave for an Italian mercantile community, rather than a wider mixed community.⁴³ So in part the marked decrease in Broad Street ward's given population can be attributed to the exemption of Italian merchants from the alien subsidy in 1483. While this is only a tentative analysis of the distribution of the aliens in the city, it may be suggested that in the 1440s there was a slightly more even distribution than in 1483, and less tendency to concentrate in the outer ring of wards (Tables 7.3a–c).⁴⁴

The alien subsidy records and the supporting documents only offer one view of the alien population in London. As the alien subsidies are surveys fixed to one point in time, they only provide a momentary representation of the residents within a given year. As stated by Bolton, 'account must also be taken of the transients who came to London for a variety of reasons, and stayed only a few weeks or months'.⁴⁵ There is no question that many immigrants, in particular skilled craftsmen, would have passed through London as the first point of entry to the country, perhaps only staying for a short period, and then moving on to more permanent homes in the rest of England where they could find employment, although definite examples remain elusive. Others would have been sailors on the frequently visiting ships and in London for only a matter of weeks.⁴⁶ Priests and friars, soldiers, and ambassadors and their representatives would also have had an impact on the size of the immigrant population. There are also those who simply avoided being assessed by making themselves scarce or perhaps seeking royal favour, although, as discussed below, this did not always work in London.

There was certainly a proportion of aliens who regarded London as their permanent home. Some 144 aliens living in London obtained letters of denization between 1406 and 1549, indicating that they considered themselves permanent residents, and expected to be treated as such.

⁴³ Bradley, 'Italian community', pp. 30–1.

⁴⁴ Further analysis of the distribution of immigrants in the city is beyond the scope of this chapter. As identified by Bolton, much further analysis of each ward is required. For an example, see D. Keene, 'A new study of London before the Great Fire', *Urban History Yearbook* (29 vols., Cambridge, 1984), xi. 11–22. For the draw of alien fraternities as a factor in specific London wards, see J. Colson, 'Alien communities and alien fraternities in later medieval London', *The London Journal*, xxxv (2010), 111–43.

⁴⁵ Bolton, *Alien Communities*, p. 9.

⁴⁶ Bolton, *Alien Communities*, pp. 9–10, esp. n. 25.

However, this was not always enough to convince London's authorities that some denized aliens were legitimate and exempt from the alien subsidy. For some, the only answer was to obtain letters of denization *and* to be accepted into the freedom of the City, although achieving this was no mean feat. This extra secure approach was achieved by the Italian merchant Simon Bochell in the 1360s, but it was rarely realized in the fifteenth century.⁴⁷ The cost of doing this may have inhibited many.⁴⁸ For others it was a continuous battle to get their denizen status recognized. One particular individual who suffered from such non-acceptance was Gervase le Vulre, Henry VI's French secretary. He was a resident of London between 1436 and 1465, but despite his letters of denization and writs to the mayor and aldermen of London, he was persistently assessed for the alien subsidy until 1451.⁴⁹ Similarly, Joyce Hals, who swore the oath of fealty in 1436, was assessed to pay the tax from 1441. He obtained letters of denization in 1447, but continued to be assessed to pay the subsidy until 1465.⁵⁰ As suggested by Thrupp, they by no means ended up paying the tax, yet they were still assessed because the London jurors believed denization only legitimized an alien's right to buy land, and did not grant exemption from taxation. Indeed, some letters of denization specified that the alien was to continue to pay customs as an alien, showing that the non-standardization of such letters meant a degree of confusion to the assessors in London.⁵¹ Nevertheless, a few aliens who obtained letters of denization in London were accepted as denizens and left alone. Flory Lambard was assessed to pay the alien subsidy in 1441, but by 1444 he was a denizen and no longer featured in the subsidy assessments.⁵² Yet those with letters of denization comprise barely one per cent of the 18,000 instances of aliens in London between 1330 and 1550, and are hardly representative of a long-term residential group.

⁴⁷ J. Lutkin, 'Goldsmiths and the English royal court, 1360–1413' (unpublished University of London PhD thesis, 2008), p. 355. Bochell's 'letter of denization' was not a true letter of denization, but rather a precursor to the legal status. In his grant, he was quit of 3*d* of the pound, as he had long stayed in London with a permanent house (*CPR 1361–4*, p. 42).

⁴⁸ Reddaway and Walker, *Goldsmiths*, p. 172.

⁴⁹ TNA: PRO, E 179/144/42, m. 15, 152, m. 3, 157, 164, m. 4, E 179/235/58, m. 1. In the final record he is named as Master Gervase Urle; Thrupp, 'Aliens in and around London', p. 254; for a fuller but incomplete biography, see J. Otway-Ruthven, *The King's Secretary and the Signet Office in the XV Century* (1939), pp. 94–103.

⁵⁰ *CPR 1429–36*, p. 552, *CPR 1446–52*, p. 53; TNA: PRO, E 179/236/85, E 179/235/23, m. 2, E 179/144/64, m. 8, E 179/236/74, E 179/144/72, E 179/144/69, E 179/236/96, m. 2. It is possible to consider that there were two Joyce Hals, perhaps father and son, particularly as he is noted to have deceased in the subsidy records dated 1441. However, these notes are regularly erroneous, and it is more likely that this was one individual.

⁵¹ Thrupp, 'Aliens in and around London', p. 255.

⁵² TNA: PRO, E 179/144/73, rot. 1, m. 2; *CPR 1441–6*, p. 207.

Other long-term and permanent residents can be found in the course of the alien subsidies, many of whom have already been highlighted by Bolton. Most notable is Alexander Effamatos, the Greek goldwiredrawer, a resident between 1441 and 1483, who was assessed in ten collections between 1456 and 1483.⁵³ Tyse Jeweller was identified by Bolton as appearing in the assessments in the 1460s, and he was also assessed in 1457.⁵⁴ Another long-term resident was Dederick Ketilwood, who was first assessed in 1456.⁵⁵ He was originally identified as a merchant stranger, being either Hanse, Prussian or Easterling, in 1456, and he was assessed a further four times in London (in 1464, 1465, 1467 and 1469) before moving to Westminster by 1484.⁵⁶

One of the long-term residents who has been identified consistently throughout the subsidies is Florence Hynk, recorded as a Teutonic embroiderer in 1483, living with his German wife Margaret.⁵⁷ He is first recorded in 1441, and then again in 1443 as a resident of Broad Street ward.⁵⁸ While he is not assessed in the 1449 subsidy, he returns again for the 1453 subsidy, and is assessed in 1456, 1457, 1464, 1465 and 1467, before finally being assessed in 1483 when he was still living in Broad Street ward.⁵⁹ His forty-two year residency is one of the longest to be found using the alien subsidies. There are others who can be traced over a shorter period, such as Guy Asshewell, who was first assessed in 1457.⁶⁰ He then appears in 1465, 1467 and 1469, and is finally assessed in 1483, where he is identified as Teutonic, a weaver, with a Teutonic wife, Elizabeth, and two Teutonic servants.⁶¹ Nicholas Dowland, a Zeelander, swore the oath of fealty in 1436, and then was assessed to pay the tax as a resident of Broad Street ward in 1443, 1449, 1456, 1467 and 1469.⁶² A

⁵³ Bolton, *Alien Communities*, p. 26. See also J. Harris, 'Two Byzantine craftsmen in fifteenth-century London', *Journal of Medieval History*, xxi (1995), 387–403. His brother Andronicus was also a long-term resident, although he died ten years before the 1483 assessment.

⁵⁴ Bolton, *Alien Communities*, p. 26. TNA E 179/236/74, E 179/144/72, E 179/144/68, E 179/144/69, E 179/236, m. 2, E 179/144/70, E 179/236/107, m. 2, E 179/144/67. The additional records from 1457 make Bolton's suggestion that he could be Tyse Soler, jeweller, named as one of the executors of John van Ursell, a goldsmith, in 1457, all the more likely.

⁵⁵ TNA: PRO, E 179/235/58, m. 1; Bolton, *Alien Communities*, p. 11 n. 29.

⁵⁶ TNA: PRO, E 179/144/69; E 179/236/96, m. 2; E 179/236/107, m. 2; E 179/144/67; E 179/141/94, m. 3.

⁵⁷ TNA: PRO, E 179/242/25, m. 11.

⁵⁸ TNA: PRO, E 179/241/327 pt. 2, rot. 1; E 179/144/53, m. 15.

⁵⁹ TNA: PRO, E 179/144/50, m. 10; E 179/235/58, m. 1; E 179/144/68, 69, 72; E 179/236/96, m. 2; E 179/236/107, m. 2.

⁶⁰ TNA: PRO, E 179/144/72 etc.

⁶¹ TNA: PRO, E 179/236/74; E 179/236/96, m. 2; E 179/144/70; E 179/236/107, m. 2; E 179/144/67; E 179/242/24. His servants were Lambert van Lyngdon and Thomas Symondson.

⁶² *CPR 1429–36*, p. 577; TNA: PRO, E 179/144/53, m. 15; E 179/144/50, m. 10; E 179/235/23, m. 8; E 179/235/58, m. 1; E 179/236/107, m. 2; E 179/144/67.

Laurence de Costa from Picardy swore the oath of fealty in 1436, and was then assessed to pay the alien subsidy in 1441 and 1444 in Langbourn ward.⁶³ Finally, Tilman Kerseman also appears in the records sporadically between 1436 and 1451.⁶⁴ This handful of examples illustrates the variety of residents who were certainly not transient and chose to settle in the city. Some were highly skilled, like Hynk, and doubtless found regular employment in London, which encouraged them to settle, some with their families and wider alien households. Long-term residents of other ports and towns can be found. For example, Edward Cattaneo was present in Southampton between 1440 and 1466, heading up that branch of the Cattaneo family's trade interests in England.⁶⁵ Derek Keene identified a corveser, William Kneppell, as an alien who was recorded as a long-term resident of Winchester between 1436 and 1453.⁶⁶ He was assessed as an alien householder in 1440, and again in 1444, 1449 and 1453.⁶⁷

These select examples show how it is possible to trace certain individuals through the records, but significantly it is only possible for those with distinctive names. There are some particularly unusual names that make it easy to establish the continuity of an individual resident, such as Albright Rosegarden, a resident of Candlewick Street ward, who was assessed to pay the alien subsidy in 1441, 1443, 1449 and 1451.⁶⁸ However, it is more often the case that names are generic and sweeping assumptions of connections must be avoided, unless there is strong evidence to suggest that two people with names like William Arnoldson were actually the same person, especially when there is a ten-year gap or more between the name appearing in the records. The nature of the London records means that it is not always possible to connect individuals between records, and it is possible that some long-term residents cannot be traced as such.

For every one or two individuals who can be followed through the tax records, another ten or more have only a fleeting appearance, just once or twice at most. The records between 1436 and 1483 for London do tend

⁶³ *CPR 1429–36*, p. 558; TNA: PRO, E 179/144/73; E 179/144/54, m. 23.

⁶⁴ *CPR 1429–36*, p. 549; TNA: PRO, E 179/144/50, m. 23; E 179/235/23, m. 9; E 179/144/64, m. 5. He lived in London with his unnamed wife and his son, John, the latter of whom was also taxed as an alien.

⁶⁵ A. A. Ruddock, *Italian Merchants and Shipping in Southampton, 1270–1600* (Southampton, 1951), pp. 107, 110, 124, 128, 216; TNA: PRO, E 179/176/585, rot. 2d, E 179/173/116, E 179/173/136, E 179/173/139, E 179/173/137, m. 1, E 179/173/133, m. 1, E 179/173/134, m. 1, E 179/173/132, m. 1.

⁶⁶ D. Keene, *Survey of Medieval Winchester* (Oxford, 1985), p. 383.

⁶⁷ TNA: PRO, E 179/176/585, rot. 7; E 179/364/18, m. 5; E 179/270/32 part 2, m. 1; E 179/173/138.

⁶⁸ TNA: PRO, E 179/144/42, m. 11; E 179/144/53, m. 4; E 179/144/50, m. 18; E 179/144/52, m. 23; E 179/235/23, m. 9; E 179/144/64, m. 11.

to support Bolton's assertion that only 20 per cent of the householders were long-term residents, and that permanency was not the nature of the capital city. The different names given in the assessments for the same ward year on year indicate that there was a steady stream of newly arrived immigrants in London who were eligible for taxation. A small sample survey taken from the assessments for the first collection of the 1440 subsidy concurs with Bolton's findings for the later subsidies.⁶⁹ The assessment records householders who had apparently moved between the initial assessment and payment. However, sixty-three could be found in a following assessment, and forty of those could be found in more than two further assessments, suggesting they were at least resident for more than two years in London, and in some cases for at least six years as they were also previously recorded as swearing the oath of fealty in 1436.⁷⁰ In total, 130 out of the 579 individuals (including wives) recorded in this assessment could be found in further assessments in the 1440s and 1450s. While this is only a very small sample of a vast group of individuals, it does suggest that we can begin to think of London's immigrants in three categories: short-term and fleeting, being present for less than a year; mid-term, being visibly present for up to ten years; and long-term, living in London for more than ten years.

However, consideration must be taken of the nature of the records and the changes that took place over time. As already indicated, the nationalities and groups that were liable for taxation fell in number over the forty-year period, chipping away at the groups of aliens who could be assessed. Even the zealous assessors in London could not get away with incorrectly assessing those exempt from the tax by law, despite their apparent confusion regarding letters of denization. So, for example, many who were assessed in 1441 were certainly not included the next year, even if they were long-term residents, because a particular national group had been declared exempt.⁷¹ There is also the issue of avoidance. Doubtless many immigrants went out of their way to avoid assessment, and certainly many avoided paying the tax when collection was due. There are instances where an individual is noted as a non-payer, having moved or died, only to appear again the next year in the assessment, and to be noted as having paid. Certainly the nature of the administration of the alien subsidies creates many challenges to assessing the make-up of London's migrant population.

⁶⁹ TNA: PRO, E 179/144/73.

⁷⁰ TNA: PRO, E 179/144/42.

⁷¹ Although, as Thrupp noted, not all jurors honoured the exemptions, and some Irish, Welsh and French individuals were still included in later assessments. Thrupp, 'Aliens in and around London', p. 254.

Settled or fleeting?

The alien subsidies and the letters of denization or protection are limited in what they can reveal about the popular feeling towards the immigrant population in London, and its fluidity. The attacks on various national groups in London coincided with national political crises and economic downturn, and the alien subsidies were one of various responses to public hostility. Yet they were not the solution, as shown by the attacks on Italian merchants in 1456–7 and the attack on the Steelyard in 1493. As Bolton has also highlighted, from the 1381 Peasants' Revolt, to the Readeption of Henry VI in 1470, to the Bastard of Fauconberg's Rising in 1471, political upheaval allowed local and personal violence against London's resident aliens to take place. Yet this underlying threat to the safety of migrant groups did not prevent many choosing to remain in the city.⁷²

London would always attract incomers – be they Englishmen looking for opportunities in the city, or alien craftsmen or merchants. The latter group would perhaps bring with them their own servants as part of their household, but other alien servants may have come seeking opportunities in the city, perhaps with the hope of moving on quickly. The capital city was certainly an immigration hub, but this did not mean that it was not viewed by a sizeable group as a potential new home. There were opportunities to work and trade, and corners of markets to be exploited. The Greek Alexander Effamatos is a prime example of an expert bringing his craft to a city where the demand for luxury goods was extremely high. So while the numbers of fleeting immigrants cannot be satisfactorily quantified, mid-term and long-term resident immigrants can be pinned down to suggest that for at least some the city was somewhere to settle.

⁷² Bolton, *Alien Communities*, pp. 38–9.

III. Merchants and the English crown

8. East coast ports and the Iceland trade, 1483–5 (1489): protection and compensation

Anne F. Sutton

Jim Bolton has always emphasized the important role the mercantile class played in the national politics of Yorkist England, putting its money behind the desire for firm and reliable government, and his study of the Borromei bank has underlined mercantile abilities. Merchants were useful financially to a king; they governed his towns, and their trade underlay foreign relations – clauses concerning trade were a norm in general treaties and intercourses solely devoted to trade increasingly common.¹ But merchants were also capable of blatant misbehaviour and dishonesty, and their quarrels could cause trade wars and major conflicts, the main reasons for protection and compensation.

Richard III, like Edward IV and any responsible king, was in the business of protection and damage management: protection at sea and compensation to subjects or their rivals. This chapter is limited to the trade with Iceland, the subject of conflict between the English and the Hanse, despite treaties of friendship, and the piratical inclinations of their seamen and merchants. Safe conducts provide the names of English merchants operating in this trade in Richard's reign, and permit an assessment of their importance and their community – for such it was, as so many of them operated together and knew each other well.² Some were indubitably known to Richard when he was duke of Gloucester and were employed by him as king. Complaints and compensation were investigated and adjudicated by the central and local admiralty courts, the chancery, royal council and special commissions. The admiralty courts used civil or Roman law and had no criminal jurisdiction and dealt only with prizes and damages, while commissions organized local offensives against pirates. The system, as maintained by Edward IV, worked well. Diets between nations settled outstanding claims and negotiated over

¹ L. A. Boiteux, *La fortune de mer. Le besoin de sécurité et les débuts de l'assurance maritime* (Paris, 1968), p. 24.

² M. M. Postan, 'The economic and political relations of England and the Hanse from 1400–1475', in *Studies in English Trade in the Fifteenth Century*, ed. E. Power and M. M. Postan (1933), pp. 147–8, 152, and esp. W. Childs, *The Trade and Shipping of Hull 1300–1500* (Hull, 1990), pp. 32–3.

the money involved. The experience of the Breton war (October 1483–April 1484) prompted Richard III's new commission for the admiralty, and the dangers in the North Sea from the Hanse for both fishermen and traders to Iceland encouraged further development of convoys in his reign.

The Iceland trade

Iceland was a dependency of Norway, a territory claimed by the king of Denmark and Norway. As king of Norway, he controlled the fish staple of Bergen on the Norwegian coast – an important place for England's east coast fishermen and traders. He also controlled the collection of the Sound toll at Elsinore, at the entrance to the Baltic; he nurtured the towns close to the Sound, and increasingly made Copenhagen the country's capital. He was, however, politically weak and financially dependent on the Bergen staple and that was in turn controlled by the Hanse *kontor*, dominated by Lübeck and a rigid credit system. He found the support and the ships of the Hanse indispensable, and the Hanse – by the time of the Yorkist kings – could also limit the number of English ships that passed through the Sound. In 1483, however, there were definite signs that the merchants and towns of Norway and Denmark (as well as other alien traders such as the Hollanders) were restive under the trade controls exercised by their king and the Hanse.³

Christian I (1448–81) and his successor Hans (1482–1513) outlawed any unlicensed trade with Iceland. Edward IV's treaty of 1476 with Christian upheld this principle and the two kings granted licences readily and profitably.⁴ In these circumstances piratical attacks between rivals were inevitable. The Danes could arrest English ships in their ports and exact compensation, but the lack of Danish ships in English ports made the English seize Hanse ships instead. Iceland resented the rule of Danish officials and welcomed overseas traders: the country was underdeveloped with a small population and needed trade to bring the raw materials it

³ *The New Cambridge Medieval History*, VII, c.1415–c.1500 (NCMH), ed. C. Allmand (Cambridge, 1998), pp. 671–95, esp. pp. 685–6, 692–3. The Skania fishing grounds were under the control of Sweden not at this date under the Danish crown (J. Wubs-Mrozewicz, 'The Bergenfahrer and the Bergenvaarders: Lübeck and Amsterdam in a study of rivalry c.1440–1560', in *Das Hansische Kontor zu Bergen und die Lübecker Bergenfahrer*, ed. A. Grassmann (Hilversum, 2005), p. 220). This article and her "Alle geode coepluyden ...": strategies in the Scandinavian trade politics of Amsterdam and Lübeck c.1440–1560', in *The Dynamics of Economic Culture in the North Sea and Baltic Region in the Late Middle Ages and Early Modern Period*, ed. H. Brand and L. Müller (Hilversum, 2007), provide useful comparisons and corrections regarding the English trade (politics and privilege) in Bergen and the Baltic (and Iceland).

⁴ *Annual Reports of the Deputy Keeper of Public Records*, xlv (1884–5), 335; 13 Apr. 1476.

lacked, such as timber and metals, as well as victuals and luxury piece-goods. The merchants of certain English ports, as well as the Hollanders, invested heavily in this trade, bringing back substantial supplies of stockfish from which they could make large profits.⁵

In Richard's reign the situation remained the same as regards Denmark and the Iceland trade. All trade to Iceland continued to be licensed and attacks between rival ships remained a danger.⁶ Hamburg had prosecuted an aggressive fishing policy from at least 1475 and traded goods with Iceland, while complaining bitterly of attacks by ships of Hull or Bristol, and Lübeck was consistently hostile.⁷ Relations with the Hanse therefore remained an integral part of this trade. On 16 September 1483 Richard ordered that if any Hanse merchant sued, they were to have all necessary royal letters, even though he had not yet confirmed their privileges – the courts therefore continued to hear Hanse cases.⁸ The process of confirmation was not speeded when days later merchants presented a bill to the king against a Hamburg ship-master for the robbery of two ships.⁹ The privileges were only renewed ten months later, on 18 July 1484, and the agreements with Edward IV of 10 December 1474 were confirmed on 5 December 1484.¹⁰ These delays argue the usual anti-Hanse lobbying from Londoners, some discussion over rights and a determination to wait until parliament had

⁵ E. Carus-Wilson, 'The Iceland venture', in her *Medieval Merchant Venturers: Collected Studies* (1954), pp. 98–142; P. Heath, 'North Sea fishing in the fifteenth century: the Scarborough fleet', *Northern History*, iii (1968), 57–63; W. Childs, *The Trade and Shipping of Hull*; Childs, 'England's Icelandic trade in the fifteenth century: the role of the port of Hull', *Northern Seas Yearbook 1995* (Esbjerg, 1995), pp. 11–31; Childs, 'Mercantile Scarborough', in *Medieval Scarborough*, ed. D. Crouch and T. Pearson (Leeds, 2001), pp. 24–7; Childs, 'Eastern fisheries', in *England's Sea Fisheries: the Commercial Sea Fisheries of England and Wales since 1300*, ed. D. J. Starkey, C. Reid and N. Ashcroft (2000), pp. 22–3; A. Agnarsdóttir, 'Iceland's "English century" and East Anglia's North Sea world', in *East Anglia and its North Sea World in the Middle Ages*, ed. D. Bates and R. Liddiard (Woodbridge, 2013), pp. 204–14.

⁶ *Pace* Carus-Wilson's view of the 1480s as a time of turmoil for this trade ('The Iceland venture', pp. 141–2), and that the English civil war reduced licensing to a competition between factions (p. 134); in the conditions of 1933, when she wrote, it was impossible to accept licences as a reasonable method of trade which merchants could negotiate successfully (pp. 136–7).

⁷ Childs, *Trade and Shipping of Hull*, pp. 11–12, 29.

⁸ *Harleian MS 433*, ed R. Horrox and P. W. Hammond (4 vols., 1979–83) (*Harl. 433*), ii, 16–17.

⁹ *CCR 1476–85*, no. 1143, p. 336; *pace* T. H. Lloyd, *England and the Hanse, 1157–1611* (Cambridge, 1991), p. 238.

¹⁰ *Harl 433*, i. 235–6 (grants of privileges to Hanse n.d.). Privileges confirmed, 18 July 1484, *Hansisches Urkundenbuch*, ed. W. Stein and others (11 vols., Halle, Leipzig, Munich, 1876–1916), x. no. 1149; confirmation of 1474 grant on 5 Dec. 1484, x. no. 1172.

met, and it is probably significant that Richard's chancellor, John Russell, was a veteran of the 1473–4 negotiations with the Hanse.¹¹

It is worth considering what other advisors Richard had on matters to do with the North Sea and Iceland and if he himself had any direct experience. One complaint certainly came to the attention of Richard while duke of Gloucester: in 1477 he headed two commissions to investigate a complaint from Lübeck and Hamburg merchants whose ship, laden with stockfish and fish oil for London, had gone aground near Hartlepool. It is not clear whether the ship was deserted by its crew in fear of wreck, but certainly Sir Thomas and Sir George Lumley led an assault, broke up the ship and went off with the cargo.¹² Nothing else is known.¹³ The new king would also have been aware that proper investigation and payment of compensation was fostered during Edward's reign, and that foreign nations made assiduous use of their consuls or representatives to maintain lawsuits, the Spanish being among the most effective.¹⁴ Richard III had the advantage of the advice of John Russell, one of the chief engineers of the 1474 treaty with the Hanse,¹⁵ and at a practical level the advice of his widely experienced clerk of the king's ships, Thomas Roger, who had been employed in this trade in the 1460s.¹⁶ In 1468 Roger had been 'syttyng in the gylde maistres hows in Copmanhaven' listening to five Danzig shipmasters discuss their seizure

¹¹ T. H. Lloyd, 'A reconsideration of two Anglo-Hanseatic treaties of the fifteenth century', *English Historical Review*, cii (1987), 916–33, and his *England and the German Hanse*, pp. 209–17. Russell said 'he would rather negotiate with all the princes of Christendom than the delegates of the Hanse', thinking especially of the men of Lübeck, cited in S. Jenks, 'A capital without a State: Lübeck *caput tocius hanze* (to 1474)', *Historical Research*, lxxv (1992), 149 and n. 84.

¹² *CPR 1476–85*, pp. 23, 49; one of the Hanse merchants involved was called Pothurst, the name of a notorious pirate, see below. Compare pillage of an English ship, L. Moal, 'Des Anglais dans les méandres judiciaires bretons après leur naufrage à l'entrée du Blavet (6 janvier 1479)', *Mémoires de la Société d'histoire et d'archéologie de Bretagne*, lxxxii (2004), 393–426; ships of many Breton ports were involved, but also Bristol and the *Trinity* of Yarmouth, the last taking wine off the damaged ship (pp. 408–9, 413–14, 422–4).

¹³ Sir Thomas continued as a JP, etc. (*CPR 1476–85*, pp. 192, 568, 578, 579). George Lumley (1445–1509) was pardoned for unknown matters in 1479; he had a considerable estate, augmented, according to Leland, by robbery at sea. Sir Thomas was probably George's father (1408–85), rather than his son Thomas (*dup*) (R. Surtees, *History and Antiquities of the County Palatine of Durham* (4 vols., 1816–40), ii. 140–1, 157, 163).

¹⁴ W. Childs, *Anglo-Castilian Trade in the Later Middle Ages* (Manchester, 1978), pp. 53–7, 203, 215. See Lloyd, 'A reconsideration', pp. 918, 920, for compensation and the rights to sue in each other's courts in treaties with the Hanse.

¹⁵ Lloyd, 'A reconsideration', pp. 916–33, esp. pp. 325–30, vindicates the reputation of this treaty and the work of Russell and William Hatcliffe, Edward IV's two representatives.

¹⁶ For Roger, see C. F. Richmond, 'Royal administration and the keeping of the seas, 1422–85' (unpublished University of Oxford DPhil thesis, 1963), pp. 524–32.

of English ships in the Sound, on the orders of the king of Denmark, in retaliation for the actions of English merchants in the king's preserve of Iceland the previous year. Roger reported that the Hanse captain, Vincent Stole, had said that the orders of the Danish king had been beneath him and his colleagues – 'we are gentlemen!'. The Hanse, however, had to take the blame in England for these seizures and a damaging war with England was the result.¹⁷

At a practical level, the Iceland trade continued to present an irresolvable situation, as no king of Denmark would willingly give up his profitable power to grant licences. Changes, however, were on the way. Hans, the newly elected king, was presented in February 1483 with a charter of reforms by his subjects. It provided for mutual freedom of commerce, with the English free to trade with Iceland so long as they acquired and renewed a seven-year licence from the king of Denmark, did not over-winter in Iceland, and paid all tolls at Bergen. There was to be free access for all alien merchants to all the ports of Norway and to certain towns on the Sound. Although Hans never sealed this charter, the proposals had been made and eventually produced a new treaty with England, including such a provision for Iceland, ratified in January 1490 (see below). The 1483 proposals would have been known in mercantile circles, and it can be wondered how many of the merchants in the Iceland trade licensed by Richard III in 1484 were eager to take advantage of this favourable climate and were involved in active promotion behind the scenes from 1483 to 1489.¹⁸

Meanwhile licences to trade were for a year and a ship would hope to make one voyage (optimistically two) in what was essentially a summer trade: ships left in April and May, and returned in August to September, and over-wintering had been specifically forbidden in 1480. Licences were usually dated in the first three months of the year.¹⁹ Ten licences for trade with Iceland, involving fourteen men, were recorded by Richard's clerks, seven not dated in the record, but of these two licences can be allotted to the first three months of 1484 (one ship of Scarborough²⁰ and two of Orwell)

¹⁷ *Diplomatarium Islandicum (Dipl. Isl.)* (16 vols., Reykjavik, 1903–7), x, 27–36, at p. 29: Vincent Stole said 'they had never been boren for the said werk' (*se non fuisse natos ob premissa*). Roger was in Copenhagen as master of the *George of London* owned by the London draper, William Heryot, and in the charge of George Heryot (Lloyd, *England and the German Hanse*, pp. 233–4).

¹⁸ *NCMH*, pp. 694–95. See n. 38 below.

¹⁹ Childs, 'Icelandic trade', p. 12, on seasonal trade; p. 18 and n. 22 on licences 1430–84 with 12 in 1480–4 (incl. those in *Harl 433*).

²⁰ Childs, 'Icelandic trade', pp. 16–17, and her 'Mercantile Scarborough', pp. 15–25, 27–29, notes that Scarborough failed in this trade, but London fishmongers maintained partners there, and Thomas Sage of Scarborough (trade ties to Hull), lost three ships in the North

and three others were all dated specifically 18 February 1484 (two or three for Hull and one for Ipswich ships). The other five undated licences can be allotted to late 1484 and the first three months of 1485 (one ship from Hull possibly in combination with a London ship, one from Orwell, another from London, one from Blakeney and the last from an unnamed port).²¹ The licensees were mostly well-established merchants, many knew each other, combined in ventures to Iceland or to Bordeaux and owned ships together. Their names provide some insight into a mercantile community whose trade was not limited by a port of origin or cargo and whose members were well placed to hear of any planning of advantageous royal convoys.

From London were William Shore and Thomas Grafton, the first an adventurer with Essex cloth interests but also with a fish-house in Derby and an importer of wine,²² and the second a Stapler who had expanded into ship-owning, royal employment (including Richard as duke and king), with ventures ranging from Iceland to Italy.²³ Hull's dominance is endorsed by these licences – its mayor and burgesses had backed cooperative ventures through the 1460s–70s and the trade is considered to have involved as many as 222 men.²⁴ Robert Chapman, from Hull (licensed with Shore on 11 December 1483), can be found trading in stockfish from the early 1460s to 1490, but he also exported wool and cloth, and imported wine with Edmund Copyndale, besides owning a third-share of

Sea to Hanse, 1–3 Henry VII, *Die Recesse und Andere Akten der Hansetage*, III, 1477–1530 (hereafter *Hanserecense 1477–1530*), ed. D. Schäfer and F. Techen (Leipzig and Munich, 1881–1913), ii., no. 511.43.

²¹ *Harl. 433*, i. 132, 241, 262, 266; ii. 99, 100; PRO: TNA, C 76/169 does not duplicate all entries and only adds two dates; a further licence for this trade may have been given 25 Feb. 1485 to Lord Audley and Avery Cornburgh shipping lead and cloth, C 76/169, m. 13 (18). C 76/168 has no Iceland entries. These numbers compare well with *The Overseas Trade of Bristol in the Later Middle Ages*, ed. E. M. Carus-Wilson (Bristol Record Society, 1937, 2nd edn., 1967), passim, which prints 17 licences to Bristol men for Iceland trade in 1461–78.

²² Shore inherited the fish-house in Derby and had trade with Colchester, Ipswich and the Low Countries (A. F. Sutton, 'William Shore, merchant of Derby and London', *Derbyshire Archaeological Journal*, cvii (1986), 127–39, esp. pp. 131–3). For Robert Chapman, see n. 25. Grafton and Shore had a joint licence for the Iceland trade in 1486 (*Materials for a History of the Reign of Henry VII*, ed. W. Campbell (2 vols., 1873–77), i. 408–9).

²³ Grafton, *Harl. 433*, i. 262 (n.d.), and TNA: PRO, C 76/169, m. 13 (18), no details or date. A. F. Sutton, 'Caxton, the cult of St. Winifred, and Shrewsbury', in *The Fifteenth Century V. 'Of Mice and Men': Image, Belief and Regulation in Late Medieval England*, ed. L. Clark (Woodbridge, 2005), pp. 120–6.

²⁴ For Hull's importance (correcting Carus-Wilson), see Childs, 'Icelandic trade', with lists of licences to Hull men, esp. pp. 11–31. Childs, *Trade and Shipping*, pp. 24–7, 32–3, 39 notes that Hull could afford to continue in this trade without fear of exclusion from Bergen, as apparently Lynn feared (p. 27).

the *Anthony of Hull*.²⁵ Edmund Copyndale was of an old Beverley family, but as a burgess of Hull, he was perhaps the greatest of the Hull men under discussion (mayor 1459, 1477). He cooperated in many ventures, with a long involvement in the Iceland trade: in February 1484 his year's licence was with William Todde, John Beverley and Thomas Fawnby, merchants of York, in the *Trinity Copyndale*.²⁶ Todde, as an alderman of York (1481–90) was certainly known to Richard personally; he had been in the Iceland trade probably since the 1460s. He had cooperated with Copyndale as early as 1470–1, and dealt in many goods from woad, iron, wine and cloth to the inevitable stockfish (his salt-house was in Whitby); he can also be found providing victuals for Richard III's ships at Scarborough.²⁷ Richard York of York, mayor of the Calais Staple at this date and a past mayor of York (1469, 1482) with regular service in the Commons including Richard's parliament of 1484, had his own licence for the Iceland trade for the use of the *Antony of Hull* (260 tons, owned jointly with Chapman and another), a ship also accustomed to go to Bordeaux; York and Todde shared an agent in Iceland.²⁸ His Bordeaux trade must have been considerable for he was among the northern merchants addressed by Richard over the release of the northern wine fleet in August 1483 (see below). In comparison, John Beverley, probably identifiable as the chamberlain of York (1483–4) and the man who shipped cloth through Hull in 1483, was an official making a small investment in the Iceland venture headed by Edmund Copyndale and Beverley's associate of York, William Todde.²⁹ One other licensee was a man of wealth: Hamond Claxton, merchant of Norwich (mayor 1485),³⁰

²⁵ Licence to Shore and Chapman, see *Harl. 433*, i. 241 (n.d.) and TNA: PRO, C 76/169, m. 15(16). Chapman: *Harl. 433*, i. 217; *The Customs Accounts of Hull 1453–1490*, ed. W. Childs (Yorkshire Archaeological Society Record Series, cxliv, 1986), pp. 72, 84, 109, 127, 130, 145, 154, 185, 210–11, 221–2; *Testamenta Eboracensia (Test. Ebor.)*, ed. J. Raine and others (6 vols., 1836–1902), iii. 295–6; suffered heavy losses in North Sea, see below.

²⁶ Copyndale: licence, *Harl. 433*, ii. 99; Childs, *Customs Accounts of Hull*, pp. 16, 98, 113, 145, 151–2, 186, 197, 204; Childs, *Trade and Shipping*, p. 33. Died 1490, *Test. Ebor.*, iv. 8–9n.

²⁷ Todde: Childs, *Customs Accounts of Hull*, pp. 71–2, 110, 125, 151–2 (1470–1), 165, 179–80, 185, 197; for 1468, see *Dip. Isl.* x. 32–4; Scarborough, *Harl. 433*, ii. 151; knighted 1487; mayor 1487–8; died 1503, *Test. Ebor.*, iv. 212–13.

²⁸ Licence, *Harl. 433*, ii. 100; *Anthony* to Bordeaux, *Harl. 433*, i. 217. Shared agent, Childs, 'Icelandic trade', p. 25, and TNA: PRO, C 1/64/709. York owned lands in Scarborough, Newcastle and Hull as well as York itself; knighted 1487; d. 1498. D. G. Moore, 'Memoirs concerning Sir Richard York', *Yorkshire Archaeological Journal*, xxvii (1948–51), 213–30; *Test. Ebor.*, iv. 134–7; Childs, *Customs Accounts of Hull*, passim.

²⁹ Beverley: *Harl. 433*, ii. 99; d. 1486, *York House Books 1461–90*, ed. L. Attreed (Stroud, 1991), passim, esp. pp. 414, 438, 509; Childs, *Customs Accounts of Hull*, p. 197.

³⁰ Claxton: *Harl. 433*, i. 262, TNA: PRO, C 76/169, m. 13 (18), 23 Feb. 1485; chamberlain 1472–4 and 1474–5; sheriff 1476; mayor 1485; died 1501. M. Grace, 'The chamberlains and

who acquired his licence for the Blakeney ship mentioned – Robert Bacon of Blakeney was popularly held to have discovered Iceland, so successful had he been in the early days of the trade and so important was Blakeney in North Sea fishing.

Lesser men were John Fawneby of York, linked like Beverley in Copyndale's licence, William Smith of Stratford, Suffolk, Thomas Herford of Ipswich, and the unidentified John Bereve and John Magnus of Scarborough, the last perhaps an Icelander by birth.³¹ The tonnage of the ships of these men hovered around 100 tons, whereas a man like York was licensed to trade in a ship of 260 tons, Shore and Chapman in two ships totalling 400 tons, and Copyndale 300 tons. It is possible that the lesser men were in fact masters and owners of their ships, minor men in the trade but important entrepreneurial seamen who travelled the long routes to Iceland and Iberia. Among these men was Thomas Roger who rose through employment with William Heryot, draper of London, the earl of Warwick and Lord Howard to be clerk of the king's ships to Edward IV and Richard III. These men had their own guilds, such as the Holy Trinity Guild at Hull, rewarded with the gift of a bell by Richard while duke of Gloucester.³² Roger received his own licence to trade with Iceland from Richard; it was a perk to be profitably disposed of as was that granted to Edward Gower of Sheriff Hutton, porter of Richard III's chamber.³³

Jim Bolton's study of the alien tax of 1483 has identified eight Iceland servants in London and their masters can all be suggested as other investors in the trade: for example, John Smith a fishmonger, Ralph Ormeston and Thomas Shelley, both mercers, and Robert Billesdon, a wealthy merchant-haberdasher who was mayor of London 1483–4. Most notable was the draper and past mayor, Sir William Heryot, who employed Thurstan Grysley, Icelander, and whose trade stretched south to Italy. It is worth noting that

treasurers of the city of Norwich, 1293–1835', *Norfolk Archaeology*, xxv (1935), 197 and n., and B. Cozens-Hardy and E. A. Kent, *The Mayors of Norwich 1403–1835* (Norwich, 1938), p. 34.

³¹ Childs, 'Icelandic trade', p. 13. Smith's licence for *Katherine of Orwell* n.d. also in TNA: PRO, C 76/169, m. 15 (16).

³² M. Kowaleski, 'The shipmaster as entrepreneur in medieval England', in *Commercial Activity, Markets and Entrepreneurs in the Middle Ages: Essays in Honour of R. H. Britnell*, ed. B. Dodds and C. D. Liddy (Woodbridge, 2011), ch. 9, esp. pp. 177, 181–2; D. Woodward, 'The accounts of the building of Trinity House, Hull, 1465–76', *Yorkshire Archaeological Journal*, lxii (1990), 169, 170.

³³ Licence to Roger, TNA: PRO, C 81/1391/18. Gower's licence, *Harl.* 433, i. 132, and as porter, TNA: PRO, C 81/888/152. Compare disposal of a licence by the duke of Norfolk, *The Household Books of John Howard, Duke of Norfolk, 1462–1471 and 1481–1483*, ed. A. Crawford (hereafter *Howard Household Books*) (Stroud, 1992), ii. 41.

Heryot could have as readily advised Edward IV, whose factor he was from time to time, and Richard III on the Iceland trade as on that with Italy before he died early in 1485.³⁴

Overall, these details endorse the conclusion that the Iceland trade was highly organized by experienced, and often wealthy, men.³⁵ Risks were carefully shared and calculated, licences were sought, and *when the king was directly involved* in their protection, as in 1483–5, considerable investment from London and lesser towns was forthcoming. The great merchants acted on information from the highest quarters – such as the petition to King Hans – or from the clerk of the king’s ships. Lesser masters took their lead from Hull, a port that had continued to cultivate this trade when Boston, Lynn and Scarborough held back. This made Hull the main port of departure.

The conspicuous absence of Bishop’s Lynn from the Iceland licences deserves some comment.³⁶ It has been convincingly asserted that the Bergen trade was sufficiently important to Lynn that its merchants and fishermen had agreed to avoid Iceland in order to placate the king of Denmark and Norway. There was, however, the even more important consideration of keeping the Sound open for Lynn ships going to trade with Danzig, their main trading partner in the Baltic. It had been Danzig (seconded by Hamburg, the other end of the land route which skirted Denmark) which had wanted a steelyard in Lynn, and a delegation from Lynn had supported this project during the 1473–4 negotiations for the treaty of Utrecht.³⁷ Lynn had generations of experience of embassies to Denmark including those in Edward IV’s reign, and it was two men of Lynn, Thomas Carter and John Belys, who did the real negotiating of the January 1490 treaty with

³⁴ *The Alien Communities of London in the Fifteenth Century*, ed. J. L. Bolton (Stamford, 1998), pp. 50, 54, 86–7, 98. Richard III recommended Heryot’s sons to the duke of Milan (*Harl. 433*, iii. 54–7) See also n. 17 above.

³⁵ A view expressed by Childs, *Trade and Shipping*, pp. 32–3, her ‘Mercantile Scarborough’, pp. 24–7, and her ‘Eastern Fisheries’, p. 22. Compare Heath, ‘North Sea fishing’, pp. 62–4. This is far from the turmoil envisaged by Carus-Wilson (see n. 6).

³⁶ No references to either Bristol or Boston in this trade have been found for Richard’s reign. For the decline of the former’s trade, see Agnarsdóttir, ‘Iceland’s “English century” and East Anglia’s North Sea world’, p. 207, and for Boston, see M. Burkhardt, ‘One hundred years of thriving commerce at a major English sea port: the Hanseatic trade at Boston between 1370 and 1470’, in Brand and Müller, *Dynamics of Economic Culture*, pp. 65–85.

³⁷ D. M. Owen, *Making of King’s Lynn* (1983), p. 48 and nos. 359, 376. Childs, ‘Icelandic trade’, p. 21. I am most grateful to Professor Childs for discussing the Iceland trade and the role of Lynn with me. S. Jenks, ‘Trade and relations between Lynn and the Hanse in the middle ages’, in *Essays in Hanseatic History*, ed. K. Friedland and P. Richards (Dereham, 2005; repr. 2009), esp. pp. 101–6; compare Lloyd, *England and the German Hanse*, pp. 285–6. A. F. Sutton, ‘Lynn Episcopi, a Yorkist port and borough, with particular reference to the 1480s and the reign of Richard III’, *The Ricardian*, xxv (2015), 23–9.

Denmark which included a clause which replaced individual licences for the Iceland trade with one licence renewable every seven years, mooted in the reforms of 1483. Lynn had long sent its own ambassadors to the kings of Scandinavia and the Hanse towns, to deal directly over privileges.³⁸ Carter was a chamberlain of Lynn 1484–5, common councilman from 1485, and elected to the twenty-four in 1490. Belys may have been a Lynn man who was a burgher of Bergen, and possibly the elected governor of the Lynn community there.³⁹ Despite poor relations with Denmark from the end of the last truce on 30 September 1482 and tensions with the Hanse at sea 1483–5, Lynn men were able to put goods on Hanse ships in their port, and Lynn's Hanse Steelyard fostered a strong trade with Danzig that lasted into the seventeenth century.⁴⁰

The town had confident relations with Richard III's government: the Baltic merchant, Thomas Thoresby (mayor Michaelmas 1482–Michaelmas 1483), veteran of the 1473–4 negotiations, advised on the corn supply, the great export of East Anglia through the port of Lynn, the town's charters were confirmed 21 February 1484, and the duke of Norfolk (and admiral), who had a major interest in the town's toll, and his son, the earl of Surrey, were well known in the port.⁴¹ Another key advisor on the sea and trade at this time was Robert Braybroke, long-term collector of the customs, well known for his probity, and around to advise throughout 1483–5 and in 1489.⁴² The activities of Carter and Belys in the low-key 1489 negotiations,

³⁸ S. B. Chrimes, *Henry VII* (1972), p. 236. Agreement, 6 Aug. 1489, *Foedera* 2nd edn., xii. 374–7; treaty 20 Jan. 1490, *Foedera*, xii. 381–7, esp., 382 (Iceland); Lloyd, *England and the German Hanse*, pp. 285–6. The other representatives: Clarendieux King of Arms (Sir Thomas Holme), a veteran of an embassy of 1477 to Denmark, and James Hutton (king's councillor 1489, d. by Aug. 1490). Sutton, 'Lynn Episcopi', pp. 24 and nn. 22–3, p. 31.

³⁹ Norfolk Record Office, King's Lynn, Hall Book 1453–1497, KL/C 7/4, pp. 491, 517, 571. Carter had losses in 1468 seizure (*Hansisches Urkundenbuch*, ix. 332), and was executor to a Lynn merchant who suffered losses in the North Sea in 1486, *Hanserecesse 1477–1530*, ii. no. 511.21. For alien burghers of Bergen, see Wubs-Mrozewicz, 'Bergenfahrer', p. 213 n. 47. A John Belys was made a freeman of Lynn in 1494–5 possibly as a reward (*A Calendar of Freemen of Lynn 1292–1836* [no editor] (Norwich, 1913), p. 70; Sutton, 'Lynn Episcopi', p. 31).

⁴⁰ Sutton, 'Lynn Episcopi', pp. 30–1. Five Hamburg ships and two from Danzig put into Lynn, Mich. 1483 to Mich. 1484, and five Lynn men had small quantities of goods on the *Criston of Hamburg* and the *IHS of Danzig*, TNA, E 122/98/2 (alien trade only). A. Groth, 'Trade and merchants of Lynn in the Baltic ports', in *Essays in Hanseatic History*, pp. 51–63. Compare Lloyd, *England and the German Hanse*, pp. 285–6.

⁴¹ *Harl. 433*, ii. 100–1. Charter: HMC 11th Report, App. 3, *Manuscripts of the Corporations of Southampton and King's Lynn* (1887), p. 205; King's Lynn, Hall Book 1453–1497, p. 489, and Chamberlain's Account, KL/C 39/63. *Harl. 433*, i. 266, and *CPR 1476–85*, p. 497. Sutton, 'Lynn Episcopi', p. 36.

⁴² Braybroke was deposed concerning Hanse activities in 1468 (*Dipl. Isl.*, x. 27). *CPR 1476–85*, pp. 134, 231, 288. His accounts Michaelmas 1483–Michaelmas 1484, E 122/98/2

which mitigated the conditions of the Iceland trade, are a tribute to the town's continued status in the North Sea and Baltic, and with the king of Denmark, as well as the ingenuity of all merchants to sustain their trade whatever the political conditions. How much sooner this new treaty with Denmark would have been achieved but for the intervention of Bosworth is worthy of some consideration.

Protection

The Scots campaigns of 1481–2 and the unexpected war with Brittany (October 1483–April 1484) were all important for crystallizing developments concerning the king's ships, the use of professional seamen, the appointment of the clerk of the king's ships, and the effective use of squadrons for patrol of the coast with regular maintenance and refitting. The unsettled conditions at sea similarly encouraged the life grant of tonnage and poundage to Richard, a tax specifically for the defence of the realm and shipping in parliament, January 1484.⁴³ His appointments were sound: John Howard, made admiral on 25 July 1483, could hardly be bettered for knowledge of trade, war and the control of piracy at sea. Richard rejigged the office of admiralty on 8 April 1484, again a decision almost certainly brought about by the experience of the Breton war. The commissioners were: Sir John Wood, the treasurer of England (whose long career included invaluable experience with convoys);⁴⁴ Robert Brackenbury, constable of the Tower of London; William Lacy, chief judge of the court, originally appointed in Edward's reign, and from July 1483 also the clerk of Richard's council and thus able to act as the day-to-day link between council and matters maritime; the civilian lawyers William Daubeney and Robert Rydon, the latter a promoter of cases in the court since October 1482, both of whom might be expected to do most of the day-to-day legal work; and lastly a

(dates are taken from the account itself). Wedgwood, *Biographies*, p. 106; Sutton, 'Lynn Episcopi', pp. 36–7.

⁴³ C. Richmond, 'English naval power in the fifteenth century', *History*, lii (1967), 3–4, 10–11 and n. 54; Richmond, 'Royal administration', pp. 415–48; and p. 502 for effective patrols of 1485. For the general conditions at sea 1477–85, see A. F. Sutton and L. Visser-Fuchs, *The Book of Privileges of the Merchant Adventurers, 1296–1484* (2009), pp. 4–30.

⁴⁴ His accounts (5 Apr. 1482 to 6 Apr. 1483) of payments to specific masters, owners of ships with their complements of armed men between 22 May 1482 and 26 March 1483, TNA, PRO: E 207/21/16, no. 1; and see E 404/78/57 for payment of nearly £500 paid by Wood from 6 Apr. 1483 to 6 Apr. 1484 to ships and masters for conducting wool and fells to Calais (and see Richmond 'Naval power', p. 2 n. 11). Wood had experience of the keepers of the sea appointed in the 1450s, had collected tonnage and poundage for their use, exported wool for the crown and was probably victualler of Calais 1462–5 at least. For these details I am indebted to the biography of Wood by L. Clark for *The History of Parliament: the Commons 1422–61* (in preparation).

notary to write up the business of the court. Wood and Brackenbury were to be vice-admirals and John Norbury the king's vice-marshal. Apart from the benefit of the experience of the Breton war and of these commissioners, the advice of the efficient and somewhat maverick clerk of the king's ships, Thomas Roger, should not be forgotten.⁴⁵

The first orders of the king to survive, dated 23 February 1484, explain the current practice of convoy, conduit or wafting as it was variously called. All ships of Norfolk and Suffolk about to go to Iceland were ordered not to leave their ports separately without licences. The king had heard they had not organized their own 'waughters' as they should have done, so they were to assemble at one port in Norfolk or Suffolk, gather suitable harness and protection and then sail to the Humber to meet 'oure shippes of Hulle' who would be the wafters. They were not to separate while at sea (going or returning) unless forced by tempest, on pain of forfeiture of goods. This was all-important and to be found in orders to Breton ships in similar situations as well as English wine convoys, for stragglers were vulnerable to predators.⁴⁶ Retaliatory attacks by Hanse ships were the main concern in 1484, for 1482 had been a bad year for assaults along the east coast, especially by Newcastle men, probably encouraged by the Scots war.⁴⁷ In 1483 the unofficial war with France and the brief Anglo-Breton war had encouraged Calais patrols to vent their pent-up aggression created by the garrison's long enforced abstinence from attacking the French during the French assault on Picardy. Two attacks in the Channel were against Lübeck and Danzig ships, the first attributed to a Captain Talbot said to be of Calais.⁴⁸ On 20 January 1484 Luder Brames, master of *le Creyer of Hamburg*, en route to Zeeland had his cargo seized near Dover by John Porter of Calais, and then on the same day men of Lord Clinton assaulted him and his men, took them into custody and carried off ship and goods to Winchelsea. The master acted

⁴⁵ *CPR 1476–85*, pp. 391–2; Richmond, 'English naval power', p. 11; W. E. Hampton, *Memorials of the Wars of the Roses* (Upminster, 1979), no. 300.

⁴⁶ *Harl. 433*, ii. 106–7; A. de la Borderie, 'Le commerce et la féodalité en Bretagne', *Revue de Bretagne et de Vendée*, 1859/01 (T5), p. 452; Boiteux, *Fortune*, pp. 31–2, 34–5.

⁴⁷ Most details derive from the pleas at the Diet of 1491 (for these records, see below): *Hanserecense 1477–1530*, ii. no. 509.63 (=510.12), Valandt being the Danzig master; *Hanserecense 1477–1530*, ii. 509.28 covers several complaints against Hull and Newcastle including another from Valandt, which may be complaints over missing goods (both 1482). Only one complaint against Newcastle for 1483 (*Hanserecense 1477–1530*, ii. no. 509.37).

⁴⁸ Talbot: *Hansisches Urkundenbuch*, xi. no. 446.7 (pp. 312, 315). Also *Hanserecense 1477–1530*, ii. no. 509.53 (=510.13). Most attacks in late 1483 and into 1484 concerned the Bretons and Spanish ships caught in this war coming up the Channel by captains such as Thomas Prestland and Broke of Dover; the Spanish were expert at securing redress (*CPR 1476–85*, p. 446, and Childs, *Anglo-Castilian Trade*, pp. 53–7, 203, 215).

with dispatch and a commission dated only eleven days later ordered the mayor of Winchelsea and others to investigate.⁴⁹ On the Icelandic trade route, another attack was claimed for 27 May 1484 (Ascension Day) when a Danzig ship was robbed in the Humber on its way to Scotland (and assaults in the Channel continued).⁵⁰ It was therefore not surprising that on 7 July 1484 the king wrote to all the merchants and mariners at that moment in Iceland. They were instructed that William Combreshalle, captain of the king's ship *Elizabeth*, was to be their wafter back to their chosen ports; they were to be guided by him, wait for all the fleet to assemble as well as 'othre of oure armye now being upone the see'; again there were penalties for those who went off by themselves.⁵¹ This order was given while Richard was at Scarborough near where there was a successful sea battle against the Scots. He was thus at a centre of information about North Sea fishing and the Iceland trade, and had a fleet and naval advisers at his disposal. Combreshalle was a noted seaman and close associate of Thomas Roger; his competence extended to the organization of the defence of Harwich in early 1485.⁵² On 18 August 1484 the king appointed Thomas Roger and others to supervise the wafers for Norfolk and Suffolk and to see that contributions for expenses were collected.⁵³ The danger of coastal attack was also appreciated by the men of Lynn who set guns in their walls to protect the town and its common quay, December 1484 to March 1485, and appointed watchmen.⁵⁴

Richard has been recently credited with the establishment of this wafting for the fishing fleets, but the fleets of East Anglia had attracted royal concern from at least 9 September 1482, when Edward IV appointed William Fetherston and John Davy as 'guards, convoyers and wafers' of the fishermen of Norfolk and Suffolk. A commission had followed on 20 September ordering Earl Rivers (who had Norfolk estates) and Thomas Roger to inquire who had been protectors in 1481 and how contributions were collected. This indicates clearly that the fishermen had long been

⁴⁹ *CPR 1476–85*, pp. 425–6, and TNA: PRO, C 1/1489/108.

⁵⁰ *Hanserecense 1477–1530*, ii. no. 509.64 (=511.14); no details. The Channel attacks included a robbery and killing on 1 Aug. 1484, opposite Dover, led by Christopher Colyns and others; the claimant, Michael Hoppener made several other complaints (*Hanserecense 1477–1530*, ii. 509.92 (=510.17)). Lloyd, *England and the German Hanse*, p. 236 finds five attacks on the Hanse for 1484 in the Diet records; but the present author can identify only two with violence, rather than commercial, ill-defined offences.

⁵¹ *Harl 433*, ii. 146.

⁵² *Harl 433*, ii. 223. He succeeded Roger as clerk 1488–95 (Richmond, 'Royal administration', p. 517).

⁵³ *CPR 1476–85*, p. 487.

⁵⁴ King's Lynn, Hall Book 1453–1497, pp. 503–5; Sutton, 'Lynn Episcopi', pp. 44–7.

organizing and paying for their own protection; it is also known that John Howard had supplied a convoy in 1469 (for ships from ports between Cromer and Orwell), and that certain eastern ports hired a carvel for the safety of its fishermen in 1471.⁵⁵

Convoys, royal or mercantile, were as old as the wine and wool trades. Convoys and firm retaliation to attacks were recognized to be the only certain methods of protection. Examples of defence measures for wine fleets are documented from the early fourteenth century, the merchants paying for their protection and certain kings contributing effective organization and ships. Large convoys of merchant ships left Plymouth for Bordeaux twice a year with extra armed men on board; collective sailings were common even in peacetime but less rigidly organized. Royal involvement had to be revitalized by the Yorkist kings. Licensing dominated the wine trade under Edward IV and Louis XI, like the Iceland trade, until the treaty of Picquigny provided a general safe conduct. Louis' invasion of Picardy and the crisis of the treaty of Arras at the end of 1482, however, led to Edward IV banning the sailing of the northern wine fleet from the east coast ports (probably the one normally scheduled to sail in March) such were the dangers of attack. The political relations between the two kingdoms eased once Richard was king and he allowed this fleet to sail in August 1483.⁵⁶ The convoy of wool fleets to Calais was similarly ancient but formalized by an agreement between Edward IV and the Staplers in February 1473 to run for sixteen years, the Staplers to be permitted once or twice a year to consult the treasurer over the provision of convoys or conduits and to retain reasonable expenses from the wool customs and subsidies they collected at Calais. Accounts survive for several years when royal and local ships undertook this duty in anticipation of French attack.⁵⁷ Richard III allowed mayor Richard York and four Staple officials 200 marks from the wool customs to cover wafting expenses and on 16 September 1484 he ordered the same men to take soldiers and mariners

⁵⁵ N. A. M. Rodger, *The Safeguard of the Sea: a Naval History of Britain, 660–1640* (1997), pp. 157–8; he notes Howard's enterprise, but not that kings contributed to expenses in times of war. *CPR 1476–85*, pp. 317, 322; Richmond, 'Royal administration', pp. 306–7. Crawford, *Howard Household Books*, pp. xxxv–vi; *CPR 1467–76*, p. 318: men from the hired carvel attacked a ship in the port of Orwell.

⁵⁶ M. K. James, *Studies in the Medieval Wine Trade*, ed. E. M. Veale (Oxford, 1971), pp. 24–5, 120–31; her use of the shipping figures for 1482–3 (pp. 49, 50, 115) proving reduced trade fails to take account of Edward's cancellation. Richard III's order is the sole reference so far found to Edward's ban (*Harl. 433*, ii. 5–6; iii. 28). Wine fleets sailed twice a year (James, *Studies in the Medieval Wine Trade*, pp. 124–5, 164–5).

⁵⁷ See n. 44 and Richmond, 'Royal administration', pp. 298–305. E.g. *English Historical Documents*, iv. 1327–1485, 1028 (account for wool convoys 1475).

for the wafting of ships from Hull with wool and woolfells to Calais.⁵⁸ The king's contribution on each occasion acknowledged a state of war with France in the Channel, however unofficial. Details about the running of conduits can be found in the records of the London Adventurers, who had always arranged military protection for their cargoes to and from the Brabant fairs: the merchants contributed to the costs of all aspects of the ship according to the amount of their goods on board.⁵⁹ It can be stated with certainty that these arrangements originated with the merchants, and the decision of the Yorkist kings to be involved in this trade as well derived from the ancient tradition of kings who contributed to the protection of wine and wool fleets. In 1484 Richard paid part of the Adventurers of London's conduit costs, and again in February 1485 he repaid nearly £350 which they had paid for protection by the king's ships across to the fairs.⁶⁰

On 11 August 1484 after the end of the Breton war and in anticipation of a peace with Scotland, Richard ordered that sureties were to be taken from ships' masters as they left port that they would not attack the sovereign's allies. These allies were all adjacent nations except the French.⁶¹ Such an order was the ideal protection for merchants and it was a tribute to the success of the patrols of the Yorkist kings that it could be ordered. Both Edward's halting of the northern wine fleet and Richard's permission to sail, the provision of wafters, and the known payments for convoys of wool and cloth, argue that the Yorkist kings were fully committed to their duties concerning all the major trades. They were concerned for merchants of all ranks and for their own share in the profits of trade, and it is likely the reiteration of Edward IV's navigation act to encourage the use of English ships that was made in Henry VII's first parliament, had in fact been prepared for Richard's second parliament, which never took place.⁶² By 1483 conduits had become an established means of keeping the royal ships profitably employed. This can be presented as part of an

⁵⁸ *Harl. 433*, i. 219 (n.d.) [Sept. 1484], ii. 161. For Richard York, see n. 28 above.

⁵⁹ A. F. Sutton, *The Mercery of London: Trade Goods and People, 1130–1578* (Aldershot, 2005), esp. pp. 151, 238, 307–9. E.g. the cost of a private convoy in Nov. 1484 was 2% on the merchandise (*Boiteux, Fortune*, p. 34).

⁶⁰ TNA: PRO, E 404/78/3/43 refers to money going to the Mercers and the fleet going to 'Flanders' though the fairs of Brabant was meant; Tellers roll, E 405/74 Easter 1485 has Thomas Roger involved with convoys from Zeeland Aug. 1484 (the fleets from the Brabant fairs might set out from Middelburg, Zeeland). Sources also cited by Richmond, 'Royal administration', p. 507.

⁶¹ 'Une excellente mesure', B.-A. Pocquet du Haut-Jusse, *François I* (Paris, 1929), pp. 321–3; *CPR 1476–85*, pp. 493–4. This demand that ships' captains find sureties not to molest friendly or neutral vessels was not new, see, e.g., Lloyd, 'A reconsideration', p. 923.

⁶² *English Historical Documents*, iv. no. 1041.

overall anti-piracy policy, part of the king's duty to protect his subjects: a combination of convoy and retaliation.⁶³

Compensation

Full details of properly presented compensation suits do not survive for 1483–5 – a few English commissions provide solid data but no judgments. Unsettled complaints from Hamburg, Danzig and Lübeck survive in the incomplete records of the 1491 Diet at Antwerp, which was held to secure a financial settlement between the Hanse towns and England. This received a barrage of complaints from the English for the period from Bosworth to 1490.⁶⁴ Many of the Hanse complaints must be classified as make-weights, often out of date or undated, with few names or concrete details, and often about commercial peccadilloes of factors or the resented activities of customs officials. The few assaults at sea require careful analysis by date, place, and cause – those for 1482–4 have been covered above. Most of the suits for 1485 were commercial disputes or disputes with local authorities, two involving Hull.⁶⁵ There was also a piratical attack by a William 'Aelffert/Alfoert', who took guns and victuals, and the distinguished royal seaman, William Fetherston, was accused in two cases of 1485 (one before Bosworth), still unresolved in 1491, and both naming Lord Dinham as his commander. He had captured a Danzig ship of Jacob and Hans Kilekennen behind the Isle of Wight and taken it to Calais.⁶⁶ The English cases presented in 1491 were almost all dated to after Bosworth:⁶⁷ Lynn brought at least eleven cases concerning genuine

⁶³ Sutton and Visser-Fuchs, *Book of Privileges*, pp. 4–30. Great credit must be given to Edward IV (Richmond, 'Royal administration', pp. 350–1, 370, 403–5).

⁶⁴ See *Hanserecense 1477–1530*, ii. nos. 509–10 for complaints of Hamburg and Danzig. See *Hansisches Urkundenbuch*, xi. nos. 446–7 for Lübeck complaints, which are negligible for 1483–5 except for the vague accusation against Talbot, supposedly a captain of Calais in 1483, *Hansisches Urkundenbuch*, xi. nos. 446–7, pp. 312, 315 (see above); the complaint that the *Marie Lewé* was taken and bought for the king's use, falls into a different category (*Harl. 433*, ii. 192). *Hanserecense 1477–1530*, ii. nos. 507–8, for Cologne's six complaints 1483–5 (two seizures of wine, three seizures by officials of the customs or London, and a case of debt), no. 508.3–4, 24, 30–2. *Hanserecense 1477–1530*, ii. no. 511 lists complaints of the English. Compare Lloyd, *England and the German Hanse*, pp. 238–9, 241–4, 285–6; his opinion that conditions 1483–5 were exceptional cannot be endorsed, particularly if the make-weight and commercial disputes are removed and the 1485–90 complaints of the English considered.

⁶⁵ *Hanserecense 1477–1530*, ii. no. 509.41 (=510.22) against Hull; no. 509.56 covers several offences including the taking of salt; no. 509.65 (=510.23) Hull arrested four skippers who then appealed to the king.

⁶⁶ Aelffert: *Hanserecense 1477–1530*, ii. no. 509.51 (=510.24). Fetherston: *Hanserecense 1477–1530*, ii. 509.59 (=510.24 part.).

⁶⁷ *Hanserecense 1477–1530*, ii. no. 511.1–62; numbers imposed by editors; most cases are dated.

assaults of which three were in 1489 and six in 1490, six of the ships being in the Bergen trade.⁶⁸ Calais made six complaints and Northumberland seven. Yorkshire made twenty complaints, of which seven were dated 1–2 Henry VII, and nine were attacks on small fishing vessels of Flamborough and Hornsea. Major losses were inflicted on several men who had been licensed for the Iceland trade by Richard III. William Todde of York (with two men of Hull) was injured by the attack on the *James of Grimsby* by the pirate, Pothurst of Hamburg, in 1486.⁶⁹ Robert Chapman had major losses when three ships of Hull laden with wine and salt from France were lost to Hanse aggressors on All Saints Day 1485 or 1486, and again when two ships of Hull on the way to Iceland were lost to the pirate Theoderic Pynnyng. Other ships of Hull were lost in 1487 and 1489.⁷⁰ Thomas Sage of Scarborough, also in the Iceland trade but not one of Richard III's licensees, and a conspicuous promoter of his town's charter of incorporation from that king, suffered in one of the attacks endured by Chapman and at least four others. The Hanse towns denied all responsibility for any act committed by the pirates Pothurst and Pynnyng, whom they said sailed under the Danish flag.⁷¹

No obvious payments or restitution to a Hanse master has been found for Richard's reign, the records being poor, nor is it known what compensation English complainants received (the Diet of 1491 ended in failure, but the non-piratical cases may have continued in the Hanse courts). The relevant English law courts were in operation 1483–5 and if a Hanse master made complaint in England the courts would have responded, as Richard's letter of 1483 ordered, and as the commission investigating Brames' complaint proves. That Richard's Iceland and North Sea convoys were effective and that the deaths of Richard and his lord admiral, and the break-up of the admiralty commission, were disastrous for English North Sea shipping is suggested by the sheaf of complaints presented to the Diet of 1491. The merchants and seamen of the east coast had to rely once more on their own resources, for the moment at least.

The last word on compensation and mercantile disputes must be given to Richard III and his clerk of the council and chief judge in his admiralty court. A letter from Richard III to the city of Hamburg written by William Lacy on 21 May 1485 reveals the sheer complexity of the law suits that arose

⁶⁸ *Hanserecesse 1477–1530*, ii. no. 511.1–22: Lynn; possible commercial cases have been ignored; a major assault on the *Anne* is not dated. HMC, *11th Report*, App. 3, p. 171.

⁶⁹ *Hanserecesse 1477–1530*, ii. nos. 511.28–36 (fishing vessels); 511.37–40 (Todde and Peyght); 511.41 (Todde).

⁷⁰ *Hanserecesse 1477–1530*, ii. no. 511.24 (All Saints), 511.25–7.

⁷¹ *Hanserecesse 1477–1530*, ii. nos. 511.24 and 511.43 (three cases for Sage, and see above n. 21). Lloyd, *England and the German Hanse*, pp. 238–9, 244.

from conflicts at sea, so frequently before the royal council. The letter has humour, goodwill and acceptance of complication; it also contains one word that may be directly tied to Richard's notions of government. The letter reveals the awareness of the king, his admiralty and his council of their role, and a philosophy of benign arbitration combining punishment with grace.

To the honourable and worshipful men the governors of the noble city of Hamburg, our very beloved friends.

Richard, by the grace of God King of England and France and Lord of Ireland, to the honourable and worshipful men the governors of the noble city of Hamburg, our very beloved friends, greeting. Your Prudencies should not take amiss or regard with indignation and wonder either the delay in this three-sided business, for which a decision has been awaited for so many months, or the judgment itself, which has now been pronounced between your citizens and ours on the matter of the capture and plundering of three English ships committed violently and criminally in the land of Iceland last summer. So many and so great things have been brought forward in this business, from witnesses and from testimonies and various other contradictory submissions, that in the end the case seemed to demand not human but angelical, indeed not angelical but divine wisdom to uncover the truth. And when there was no other choice but *either* to create everlasting litigation of unsolvable complexity, *or* condemn your people, who were found not to be quite without guilt, by a mild and wise judgment, the last option was chosen, and so action has been taken which combines upholding justice and remembering friendship. Your merchants have records of these decisions, decisions that we know for certain to be more consonant with equity and legality (*pietas* = loyalty = correct treatment of others) than with the rigor of the law. And in this way we believe we have sufficiently answered your last letter, which you, honourable and worshipful men and very dear friends, sent to us and our council [asking us] to put an end to the foresaid controversy.

Given at London under our privy seal 21 May 1485.

William Lacy⁷²

⁷² *Hansisches Urkundenbuch*, x. no. 1201. Also in *Dipl. Isl.*, x. 51–2. Richard III's motto as king was 'loyalty binds me'. I am indebted to Livia Visser-Fuchs for this translation.

9. Royal servants and city fathers: the double lives of London goldsmiths at the court of Henry VII

S. P. Harper

Ian Archer observed that relations between the crown and the City of London were ‘lubricated to a far greater extent than has been appreciated by a variety of informal contacts between members of the business elite and the government’.¹ Given the capital’s role as a market place and supplier for the royal household, the ‘lubricants’ were frequently prominent merchants who had come to the attention of the king through the provision of goods of their craft.

By virtue of their trade in often bespoke high-value goods, and ability to raise finance swiftly, medieval goldsmiths, particularly members of the London Goldsmiths’ Company, enjoyed better access to the court and royal household than many merchants of other professions. Consequently it was not unusual to find goldsmith merchants among the personnel regularly to be found at court, and their privileged access to the royal household brought particularly talented individuals to the king’s personal attention. Throughout the fifteenth century goldsmiths were to be found acting as royal messengers, financiers, ambassadors and servants.

In the reign of Henry VII four goldsmiths can be identified as being both particularly close to the royal administration as well as prominent in the civic life of the capital. Edmund Shaa, Hugh Brice, John Shaa and Bartholomew Rede were remarkable in the breadth of duties they undertook for their royal master and arguably were key contacts for a monarch who sought information about the mechanisms and business of civic government, and its personnel. All four men appear to have prioritized their duties as royal servants over civic duty. All became aldermen long after they became royal servants, though naturally they would have served some years on the common council before reaching the court of aldermen. All served as mayor: John Shaa and Rede both did so within five years of their appointment as aldermen.² All four men were

¹ I. Archer, ‘The government of London, 1500–1650’, *The London Journal*, xxvi (2001), 19–28.

² T. F. Reddaway and L. E. Walker, *The Early History of the Goldsmiths’ Company, 1327–1509* (1975), pp. 285–8; A. Beaven, *The Aldermen of the City of London* (2 vols., 1908–13), ii. 15.

regular suppliers of goldsmiths' wares to the king and his household, all were knighted and all died very wealthy men.³

These men stood comfortably on the fringes of the court elite and successfully balanced often conflicting loyalties to both the crown and the capital. Their friendships and connections at court made them ideal intercessors between London and the king and the vacuum left after their deaths left a vacancy in the royal administration that was filled by a man with intimate knowledge of the Corporation of London, which was to have wide repercussions not only for the City, but for the rest of the country and the historical perception of the entire reign.

The first half of this essay will explore the relationship these goldsmiths enjoyed with the king and the court while the second will examine the repercussions of their deaths for City-crown relations.

Members of the Goldsmiths' Company had traditionally been favoured by the crown and the reign of Henry VII was to prove no exception. Though merchants and craftsmen from other London companies were to be found at court their presence was not as numerous or as influential as the Goldsmiths. The nature of the goods supplied by goldsmiths required direct interaction between the vendor and the purchaser; high-value items of precious metals and jewels sold by goldsmiths were subject to taste and therefore sight before purchase was desirable whilst bespoke items that might be commissioned required cooperation between the craftsman and the customer. Consequently it was common for a large number of goldsmiths with a varying range of specialities to supply the royal household, in contrast to other companies whose merchants more frequently dealt only with the Great Wardrobe, which functioned as a near autonomous department from its base near Baynard's Castle. Moreover, the sale and the creation of goldsmiths' work required a level of expertise that excluded other merchants and tradesmen from engaging in it, and hence the Goldsmiths maintained a monopoly in this area. The access that individual goldsmiths had to the king and his councillors facilitated the development of personal relationships and therefore it was not unusual to find goldsmiths as trusted royal servants. Two of the most prolific suppliers of

³ Rede received four payments totalling £1,126 12s 10d, mainly for jewels, between Nov. 1494 and June 1495 (BL, Additional MS. 7099, fos. 21–24); and four payments between Mar. 1504 and July 1505 for goldsmiths' work totalling £1,134 25s 18d (BL, Add. MS. 59899, fos. 49, 62r, 92r–93r). TNA: PRO, PROB 11/11/2028; PROB 11/8/187; PROB 11/14/763; PROB 11/14/156; *Calendar of Inquisitions Post Mortem and other Analogous Documents Preserved in the Public Record Office, Henry VII* (3 vols., 1898–1955), i. 20; ii. 679, 719, 863; iii. 29, 42, 51–3, 62, 63, 70, 94, 103, 123–4, 200, 207–8, 358, 425, 677.

goldsmiths' work to Richard II's court, Drew Barantyn and Nicholas Twyford, were charged with purveying essential items for military campaigns, whereas another, John Brydd, carried messages to the continent for both Richard II and Henry IV.⁴

In addition to being able to ingratiate themselves with the king and his court through the provision of goods of their trades, the Goldsmiths had other unique ways of integrating themselves with the court not available to men from other crafts. By virtue of their expertise, goldsmiths enjoyed a virtual monopoly of control over the mint and the king's exchange within the Tower of London and elsewhere in the country.⁵ The positions of master-worker, along with the lesser offices of the clerkship of the mint, the exchange, the keeper, the assayer, the engraver and the controller all fell to goldsmiths.⁶ Usually this led to close cooperation with members of the court who traditionally held the positions of warden of the mint. Finally, goldsmiths tended to be rich men with large supplies of ready cash. Naturally they were not unique among the mercantile community of the city in this, but many of them assumed a pseudo-banking role, providing loans to men connected to the court. Goldsmiths also provided additional services to the crown: they created and provided the seals matrices required for crown administration, mended and maintained the royal plate and provided religious artefacts for the royal chapel.⁷ New Year's gifts were often sourced from goldsmiths, as were diplomatic and wedding gifts. Collectively, goldsmiths were indispensable to the king and his household in a way that no other group of craftsmen or merchants was.

It is clear from the extant evidence that this held true for connections between the court of Henry VII and the London Goldsmiths. Contrary to Henry's reputation as a miser, he spent lavishly on gold and jewels, for between 1491 and 1509 he paid an estimated £200,000 for jewels and plate; more, it is likely, than the luxury-loving Edward IV.⁸ The five extant chamber payment books for the reign contain numerous payments to goldsmiths but remarkably few to other merchants, with the exception of a handful of favoured members of the Italian mercantile community.⁹

⁴ J. Lutkin, 'Goldsmiths and the English royal court, 1360–1413' (unpublished University of London PhD thesis, 2008), pp. 11, 277–8.

⁵ The post of warden of the mint was a purely political appointment and therefore usually awarded to royal servants (Reddaway and Walker, *Goldsmiths*, p. 176).

⁶ Reddaway and Walker, *Goldsmiths*, p. 176.

⁷ Lutkin, 'Goldsmiths', p. 187.

⁸ C. D. Ross, *Edward IV* (1974), p. 264.

⁹ Five chamber payment books survive from the reign covering the years 1495 to 1509: TNA: PRO, E 101/414/6; E 101/414/16; E 101/415/3; BL, Add. MS. 59899; Add. MS. 21480; TNA: PRO, E 36/214. In addition to these is a list of extracted payments, made by the

Edmund Shaa, Hugh Brice, John Shaa and Bartholomew Rede were able to take advantage of all these ways of attracting the attention of the court and the royal household, and moreover can be proved to have been regularly in attendance at Henry VII's court. Both Edmund Shaa and Hugh Brice had been close to the household of Edward IV. Edmund had received the award of a life grant of the office of engraver to the mint in 1462, and lent generously to that king.¹⁰ He may also have had connections to other members of the royal family, for in his will, made in 1492, he made provision for prayers to be said for Edward IV and for Edward's sister Anne, the late duchess of Exeter, and Lord Herbert.¹¹ Shaa also found favour with Richard III, in whose usurpation he played an instrumental part when serving as mayor, for which he was knighted.¹² It was his brother, Dr. Ralph Shaa, the previously popular preacher, who preached Richard's right to the throne at St. Paul's Cross.¹³ He was one of the biggest individual lenders of funds to Richard, lending at least £500, and consequently Edmund is usually portrayed as a staunch supporter of Richard III.¹⁴ Yet he was to lend far more to Henry VII in the first year of his reign, at least £833.¹⁵ He was also a close associate of Reynold Bray, a man who, according to Polydore Vergil, enjoyed both high office and ready access to the king with the freedom to rebuke as well as influence him.¹⁶ Shaa named Bray as executor of his will, referring to him as his 'right especiall and tender loving frende'.¹⁷ As this will was made in March 1488, a mere couple of years after Bosworth, it is perhaps suggestive of a longer standing friendship than one formed since Henry's accession.¹⁸

Hugh Brice was similarly close to Edward IV's court. He served as deputy master of the mint from 1462–85, most of that under William, Lord

antiquary Craven Ord, from the above listed books and others dated from 1491 not now known to exist (BL, Add. MS. 7099).

¹⁰ Reddaway and Walker, *Goldsmiths*, p. 176.

¹¹ TNA: PRO, PROB 11/8/187. It is unclear from the will which Lord Herbert this might be. William Herbert, earl of Huntingdon, had died in 1490 without a male heir and his father, the first earl of Pembroke, would more commonly have been referred to by his earldom.

¹² T. Tucker, 'Shaw, Sir Edmund (d. 1488)', *ODNB*.

¹³ *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (1938), pp. 231–2; C. D. Ross, *Richard III* (1981, repr. 1999), pp. 88–9.

¹⁴ T. More, *The History of King Richard the Third*, ed. G. Logan (Bloomington, Ind., 2005), p. 68.

¹⁵ TNA: PRO, E 405/75, mm. 6d, 11, 13d, 14d, 32.

¹⁶ M. M. Condon, 'Bray, Sir Reynold (c.1440–1503)', *ODNB*; P. Vergil, *Three Books of Polydore Vergil's English History*, ed. H. Ellis (Camden Society, xxix, 1844), p. 128.

¹⁷ TNA: PRO, E 101/415/3, fos. 6, 14v, 24v.

¹⁸ TNA: PRO, PROB 11/8/12.

Hastings, who held the position of master of the mint for much of the reign.¹⁹ Brice obviously held Hastings in some regard and perhaps affection, for in 1481 he commissioned a book from William Caxton, *The Mirror of the World*, for Hastings.²⁰ As an individual, Brice was one of the largest lenders of money to Edward IV with personal loans to the monarch totalling around £3,800, not including his involvement in various syndicated loans.²¹ The heavy expenditure Edward IV was burdened with, as a result of the marriage treaty concluded between England and the duchy of Burgundy that saw the Burgundian duke married to Edward's sister Margaret in 1468, obliged Edward to pawn some of the royal jewels to Brice.²² Brice was rewarded for his generosity with the position of collector of the customs of tonnage and poundage in the port of London in the 1470s, a position which perhaps offered him some security on the loans he had given.²³ He served on diplomatic embassies for Edward IV in 1473 and 1478 and as paymaster on some of the king's building projects.²⁴ He was made a knight of the Bath by Henry VII upon his coronation, an honour in part given in recognition of his recent appointment as London mayor, perhaps, but it is possible that he had already come to the new king's attention in some way.²⁵

The close connections between the four goldsmiths suggest that Edmund Shaa and Hugh Brice, a generation older, paved the way into royal service for John Shaa and Bartholomew Rede. John was both the nephew and apprentice of Edmund. Rede had served as Brice's apprentice, was a close

¹⁹ Thomas Reddaway, unpublished notes, seen with the kind permission of the Worshipful Company of Goldsmiths; Goldsmiths' Company, London, Minute Book A, fo. 93.

²⁰ Ross, *Edward IV*, p. 267.

²¹ P. Tucker, 'Government and politics: London 1461–83' (unpublished University of London PhD thesis, 1995), pp. 340, 427–8. Reddaway and Steel give the lower figure of £2,850, but as Tucker itemizes all of the loans given by Brice it is her data that has been used here: Reddaway and Walker, *Goldsmiths*, p. 287; A. B. Steel, *The Receipt of the Exchequer* (Cambridge, 1954), pp. 334–5, 345. By way of comparison, John Lord Dinham, one of the largest individual money lenders to the crown in the first ten years of Edward IV's reign received repayments for £3,000 he had lent to the king (H. Kleineke, 'The Dinham family in the later middle ages' (unpublished University of London PhD thesis, 1998), p. 246).

²² Ross, *Edward IV*, pp. 111, 259. Margaret's dowry alone was set at a rather generous 200,000 gold crowns which was never fully paid.

²³ G. L. Harriss, 'Preference at the medieval exchequer', *Bulletin of the Institute of Historical Research*, xxx (1957), 17–40, 35; H. Cobb, *The Overseas Trade of London: Exchequer Customs Accounts 1480–1* (London Record Society, xxvii, 1990), p. 21.

²⁴ *Rymer's Foedera with Syllabus*, ed. T. Rymer (12 vols, 1739–1745), xii. 96–7; J.L. Lander, 'Council, administration and councillors, 1461 to 1485', *Bulletin of the Institute of Historical Research*, xxxii (1959), 138–80, at p. 173.

²⁵ It is possible that Brice was one of a clique of Londoners who may have provided Tudor with funding via Bray prior to Henry's victory at Bosworth. This point will be discussed more fully in a forthcoming article.

friend of Brice's son, James, and was godfather to James' own son.²⁶ John Shaa was named as executor in the wills of both his uncle and Brice and similarities in the provision for the establishment of schools in the wills of Edmund Shaa and Rede suggest that the two were intimate enough acquaintances to have discussed the matter in detail.²⁷ Rede and John Shaa were also close, for Rede was named in John's will as his executor and as guardian of his eldest son until he came of age.²⁸

As was fitting for senior men within their craft, all four were to serve as prime wardens of the Goldsmiths' Company, Brice three times and the others once each. There is, however, evidence to suggest that the company was not their first loyalty. Brice prioritized the needs of the royal mint over those of the company in 1462 when he 'laboured against the confirmation of the King's Letters Patent' granted to the Goldsmiths' Company, though it is probable that he was at least in part motivated by the company's reluctance to admit him into their livery.²⁹ Brice wrote to Lord Hastings that if the king gave the charter to the Goldsmiths' Company it would be to the detriment of his office at the mint.³⁰ That Brice's complaint about the charter happened almost concurrently with personal attacks made by him against prominent members of the Goldsmiths' Company suggests that his motivation was personal. At arbitration Brice's actions earned him a fine of 40 marks and also, perversely, an agreement by the company to admit him into the livery.³¹ Rede and John Shaa received the disapproval of their company after being fined in 1488 for failing to attend assemblies of the company on a number of occasions.³²

Rede became master-worker of the mint and exchanger of the king's exchanges throughout the realm in 1483, though he lost office during the reigns of Edward V and Richard III.³³ Reappointed by Henry VII in 1485, he initially held the post with Giles, Lord Daubeney, one of Henry's leading courtiers and councillors, and one of the few of Henry's intimates to be ennobled.³⁴ From 1492–3 Rede held the position with John Shaa,

²⁶ Reddaway and Walker, *Goldsmiths*, pp. 177, 307.

²⁷ TNA: PRO, PROB 11/8/187; PROB 11/14/763; Reddaway and Walker, *Goldsmiths*, p. 180.

²⁸ TNA: PRO, PROB 11/11/2028; PROB 11/8/187, 11/14/156. Shaa also acted as feoffee for Rede (*CCR 1485–1500*, nos. 986, 1087).

²⁹ Reddaway and Walker, *Goldsmiths*, p. 140.

³⁰ Reddaway and Walker, *Goldsmiths*, p. 140.

³¹ Reddaway and Walker, *Goldsmiths*, p. 140.

³² Goldsmiths' Company, London, Minute Book A, fo. 285.

³³ Reddaway and Walker, *Goldsmiths*, p. 177. It is possible that he remained on as a deputy who did all the work and lost only the title of master-worker.

³⁴ S. J. Gunn, 'Daubeney, Giles (c.1451/2–1508)', *ODNB*.

which might be taken as an indication of the regard in which Shaa was held by the king.³⁵ If so, Rede was held in similar high esteem, for after Shaa's death he held the position on his own until his death in 1505.³⁶ This position would have brought Rede into regular contact with the king, particularly as he was instrumental in carrying through improvements in the coinage and minted the first English gold sovereigns, as charged to do so by letters patent in October 1489.³⁷ It was probably on matters relating to the mint that he was present at a meeting of the king's council early in 1487 and again in 1499, the latter with Shaa, perhaps to discuss the reform of the coinage.³⁸ From May 1504 Rede made quarterly payments, usually around £30 each time, of the profits of the mint to the king's chamber. A receipt for 2 January 1506 states that Rede paid £20 of the profit into the chamber less £10 'delivered to the king's grace', implying that he paid the king in person.³⁹ Rede also sold luxury items of his craft to the king, though he did so sporadically, supplying gold-work to the crown in 1494–5 but no more until 1504–5.⁴⁰ Rede was knighted in 1503, during his mayoral year, and, as is apparent from his will of 1505 and subsequent inquisition post-mortem, died a very wealthy man.⁴¹ How much he would have profited from his position in the mint is not possible to quantify, but one must assume that it paid dividends in terms of prestige, and obvious gains were to be made through the access the position gave to the king and his entourage.⁴²

Of the four goldsmiths, arguably the most influential was John Shaa. *The Great Chronicle of London* describes him as a man

of a sharp wytt and therwyth of a good and bold spyryt by Reson of the ffavour that he stood In wyth the kyng and Quene & many othir astasis [sic] of [th]e land In soo much that he was sworn of the kyngis counsayll as the fframe went.⁴³

³⁵ *CPR 1485–1494*, pp. 49, 319, 410, 418.

³⁶ Reddaway and Walker, *Goldsmiths*, pp. 177–9.

³⁷ *CPR 1485–1494*, p. 319; Reddaway and Walker, *Goldsmiths*, p. 177.

³⁸ TNA: PRO, E 405/75, m. 24. Rede received 100 shillings in payment for his attendance upon the king's council in 1487 (*Select Cases in the Council of Henry VII*, ed. C. G. Bayne and W. H. Dunham (Selden Society, lxxv, 1958), p. 31). It is conceivable that Rede and Shaa attended other meetings of the council, but unfortunately not all of the accounts of the meetings have survived.

³⁹ TNA: PRO, E 101/413/2/2, vol. 3, fo. 93.

⁴⁰ See n. 3 above.

⁴¹ TNA: PRO, PROB 11/14/763; *Cal. I.P.M. Hen .VII*, iii. 29, 51–3, 62, 94, 103, 123–4, 207–8.

⁴² Reddaway and Walker, *Goldsmiths*, p. 178.

⁴³ Thomas and Thornley, *Great Chronicle*, p. 320.

Regrettably it cannot be proved that he was a 'sworn' member of the king's council as evidence exists only for his attendance in 1499 (with Rede) to discuss the matters related to the mint.⁴⁴

Like his uncle, John Shaa was closely associated with Bray, and in all likelihood the two were close friends as evidenced in the post-mortem inventory of Shaa's belongings which lists a number of cushions bearing the arms of Reynold Bray.⁴⁵ Edmund Shaa's friendship with Bray had probably facilitated that between Bray and John Shaa. Edmund and John Shaa, together with Bray, were granted the wardship and marriage of John Wrytell, who was later married to John's daughter, Audrey.⁴⁶ Both Shaas engaged in business activities with Bray and regularly acted as his feoffees alongside the London mercer Henry Colet and men who had served with Bray in the household of the king's mother prior to Bosworth.⁴⁷ John Shaa's second son was given the reasonably uncommon name of Reynold, raising the possibility that Bray acted as his godfather, though there is no evidence to substantiate this directly.⁴⁸ Shaa was also named as an executor of Bray's will.⁴⁹

The value the king laid upon Shaa's ability and willingness as a financier is eloquently expressed in a warrant for payment, dated April 1493, demanding that the exchequer pay Shaa £4,000 owed to him from the first money available, 'considering his kind and ready disposition always to serve our pleasers in laying out his money.'⁵⁰ Indeed, Shaa appears to have fulfilled the role of financial handyman for the king, and was trusted with a variety of tasks unconnected with his trade or work within the city of London. In the mid 1490s Shaa regularly received money from both the exchequer and the king's chamber (which served as a personal coffer to the king to allow him to circumvent the clumsy machinery of the exchequer), to employ upon the king's works at Windsor, implying that he held some sort of supervisory capacity there, possibly as paymaster.⁵¹ During Henry's reign such supervisory roles were more usually awarded to clerics connected

⁴⁴ Bayne and Dunham, *Select Cases*, p. 31. It is to be noted that the surviving evidence for the proceedings of council meetings is patchy.

⁴⁵ TNA: PRO, E 154/2/11.

⁴⁶ *CPR 1485-1494*, i. 98; TNA: PRO, PROB 11/14/156.

⁴⁷ *CPR 1485-1494*, i. 268, 305; M. Condon, 'From caitiff and villain to pater patriae: Reynold Bray and the profits of office', in *Profit, Piety and the Professions in Later Medieval England*, ed. M. Hicks (Stroud, 1990), pp. 135-68, at pp. 147-51.

⁴⁸ TNA: PRO, PROB 11/14/156.

⁴⁹ TNA: PRO, PROB 11/13/608.

⁵⁰ TNA: PRO, E 404/81, dated at Greenwich, 12 Apr. 1493.

⁵¹ *The History of the King's Works*, ed. H. M. Colvin (6 vols., 1963-82), iii. 14.

to the royal household.⁵² In 1492 Shaa was appointed searcher of the port of London, a post he held until his death.⁵³ This was a potentially lucrative role, not only for the office holder but also for the crown, which gained half of all goods seized by the searcher. The award of such a position can be perceived not only as a reward and sign of royal favour, but also one to be given to a man who could be trusted to give the crown its financial due.

Of thirty-two payments totalling £10,297 9s made to him from the chamber in the decade 1494–1504, only eleven payments, totalling nearly £4,000, could possibly be related in any way to his trade.⁵⁴ Six payments were made between May 1496 and March 1501 for the building works at Windsor and one for works at Richmond.⁵⁵ Two payments relate to the provision of currency exchange services, from French crowns into sterling.⁵⁶ Two further payments, in 1502 and 1503, saw Shaa receive money to pay the household allowance of the widowed Catherine of Aragon for the months of July to October, at 125 marks per month.⁵⁷ Perhaps the most curious payment, and one that illustrates the trust placed in him by the king, was one for over £650 made in October 1495 to reimburse Shaa for money he had laid out

for th[e] enterment and byrial of oure dought[er] Elizabeth late passed out of this transitory lif[e] as also in sending the residue of the same sune unto us at oure last being at Chestr comprised more at large in a bill which he hath delivered unto us.⁵⁸

The four-year-old princess was, according to *The Great Chronicle*, buried on the north side of St. Edward's shrine in Westminster Abbey, one must assume with some ceremony as it had come to the attention of the chronicler.⁵⁹ The implication is that Shaa had direct involvement in the arrangements, but why would this have been the case? If finance was needed for the burial (which is doubtful in 1495) surely the more usual route would have been

⁵² For example, payments that had been made to Shaa for the works at Windsor were paid thereafter to John Seymour, a canon of St. George's chapel, Windsor (Colvin, *King's Works*, iii. 14).

⁵³ *CPR 1495–1509*, p. 372; BL, Add. MS. 59899, fo. 118; TNA: PRO, E 36/214, fo. 382.

⁵⁴ Included in the sum of £3,800 for possible goldsmith work is an unspecified amount for payment for works at Windsor and non-itemized bills of reckoning, which may not have related to goldsmiths work.

⁵⁵ TNA: PRO, E 101/414/6, fos. 31, 36; E 101/414/16, fos. 7, 36v, 53v; E 101/415/3, fo. 45; BL, Add. MS. 59899, fo. 27v.

⁵⁶ TNA: PRO, E 101/415/3, fos. 59v, 62v.

⁵⁷ TNA: PRO, E 101/415/3, fos. 101, 101v; BL, Add. MS. 59899, fo. 27v.

⁵⁸ TNA: PRO, E 404/82 warrants dated 23 and 26 Oct. 1495.

⁵⁹ Thomas and Thornley, *Great Chronicle*, p. 260.

for the treasurer of the chamber, John Heron, or John, Lord Dinham who regularly lent money to the king to ease short-term cash flows, or some other member of the court to act as a middle man.⁶⁰

A clue to Shaa's formal standing within the hierarchy of the court and royal household can be found in the account book of William Cope, cofferer and deputy to Bray in his capacity as treasurer of war, which details expenses incurred during the French campaign of 1492.⁶¹ The first part of the book details receipts from various individuals and collectors of the benevolence. The list commences with the money gathered by county, not including the capital, then progresses to individual members of the episcopate and other senior clergy, followed by members of the royal family and Lords Temporal.⁶² Next follows, beside the margin note of 'Sundry persones of the laiffee', what appears to be a list of royal servants and household members. Reynold Bray and Thomas Lovell sit at the top of the list, donating £500 and £400 respectively. Various household knights follow and then two thirds of the way down, fourteenth on the list, is Shaa, not even yet a knight at this point, with his payment of £100. Significantly, he is not listed with the Londoners, but with the court personnel.⁶³ The second part of the document details expenses incurred in the preparations for the campaign, and Shaa again features heavily. Referred to as 'the king's goldsmith', he received just over £1,970 for the garnishing of the 'king's hede peces and salads'.⁶⁴ In addition he received nearly £24,000 at the mint for the coining of new money.⁶⁵ His position on the list of royal servants, and the vast sums he was entrusted with suggest he was seen by the court, and indeed by the king, as far more than merely 'the king's goldsmith'.

That Shaa was key to facilitating City-crown relations is demonstrated by the frequency with which his intercession with the king was sought by citizens and companies. In 1502 the Drapers' Company led City resistance

⁶⁰ Many example of loans from Dinham can be seen in the tellers' rolls, especially the early ones (TNA: PRO, E 405/75, 78).

⁶¹ TNA: PRO, E 36/285. This document appears to have been compiled by William Cope in 1501. It had been reconstituted from five separately catalogued parts by Margaret Condon in 1978. The front part, which is badly damaged in places, lists money received in benevolence from both individuals and received by collectors. The second part lists all expenditure, though lacks detail in places.

⁶² TNA: PRO, E 36/285, fos. 3-15.

⁶³ Some other London merchants, such as Laurence Alymer (£20) and John Wyngar (£40), also came under the same heading but appeared somewhat further down the list. Most of the individual contributors from London were grouped together later in the document (TNA: PRO, E 36/285, fos. 12, 17).

⁶⁴ TNA: PRO, E 36/285, fo. 79.

⁶⁵ TNA: PRO, E 36/285, fo. 19.

against the grant by the king of letters patent to the Tailors' Company incorporating them as Merchant Taylors. With the new grant the Merchant Taylors acquired mercantile status, an unlimited ability to increase their membership without regard to any other craft or guild in the city and the ability to ordain and execute ordinances without mayoral approval as long as these were not prejudicial to the laws of the realm or the mayor of London.⁶⁶ Three yards of black velvet were purchased at a cost of 30s to give to 'master Matlock' to be employed in soliciting Shaa's help in the matter, perhaps with the need for mourning clothes in mind with the forthcoming requiem mass of the young prince of Wales.⁶⁷ This was not the only time the Drapers had tried to invoke Shaa's help, for the same year £6 13s 4d was spent on a tun of wine for Shaa to be minded to aid their candidate in his quest for position of overseer of Blackwell Hall, the centre of cloth trading in the city.⁶⁸ Individuals also sought Shaa's help: Thomas Frowyk had the ambition of acquiring the position of chief justice of the common pleas in 1501. Shaa obligingly, and probably in return of a fee or some favour, wrote to Reynold Bray offering 500 marks on Frowyk's behalf for the post.⁶⁹ Sir John Raynesford, a retainer of the earl of Oxford who was later to become prominent in Prince Henry's household, sought Shaa's help with securing assent for his marriage to Amy, Lady Grey in 1498.⁷⁰

The City government also sought to use Shaa's access to the king to its advantage. He was appointed to take part in a number of deputations of senior city inhabitants to the lord chancellor, John Morton, and other members of the government administration to discuss matters of trade.⁷¹ He was selected as MP twice, though he died before he could serve for a second time, in the 1504 parliament.⁷² In December 1503 he was appointed,

⁶⁶ H. Miller, 'London and parliament in the reign of Henry VIII', *Bulletin of the Institute of Historical Research*, xxxv (1962), 128–49, reprinted in *Historical Studies of the English Parliament*, ed. E. B. Fryde and E. Miller (1970), pp. 125–46, 130.

⁶⁷ Drapers' Company, London, wardens' accounts 1475–1509, fo. 74v. Master Matlock (or Mattock) was Nicholas Mattock, a fishmonger who was either a very close friend of Shaa's or served him in some capacity. An inventory of the 'Old Ford', Shaa's residence in Middlesex, refers to a room known as 'Master Mattock's chamber': TNA: PRO, E 154/2/11. Shaa's will lists Mattock and his wife amongst the close friends to be given gold rings worth 40s (TNA: PRO, PROB 11/14/156). Mattock was to become a collector of tonnage and poundage within London (*CPR 1494–1509*, p. 525).

⁶⁸ Drapers' Company, London, wardens' accounts 1475–1509, fo. 77.

⁶⁹ TNA: PRO, E 101/415/3, fo. 299; E 101/413/2/2, fo. 89; BL, Add. MS. 59899, fo. 146v.

⁷⁰ TNA: PRO, E 101/414/16, fo. 134v; J. Ross, *John de Vere Thirteenth Earl of Oxford, 1442–1513* (Woodbridge, 2011), pp. 186, 194.

⁷¹ LMA, COL/CC/01/01/010, fos. 24v, 238; LMA, COL/CA/01/01/001, fos. 34v, 44, 63, 72v.

⁷² LMA, COL/CC/01/01/010, fo. 58v; LMA, COL/CA/01/01/001, fo. 151.

in his absence, to go to the king to offer £5,000 for the renewal of the City charter and repeal of the Tailors' patent, an amount that was to be reduced to 5,000 marks if the king would only renew the City's charter, as proved to be the case, though Shaa died before he could undertake this task.⁷³ Sir Thomas Lovell was appointed as overseer of Shaa's will, as he would be for Rede's just over a year later.⁷⁴

The deaths of Shaa and Rede deprived the king of two conduits of information about the civic government, and the City of potential intermediaries with the crown. They occurred at a time of flux in the personnel of both the court and the City, and as changes in the structure of the royal household with the creation of the privy chamber led to access to the king becoming more restricted, their deaths were to have wide repercussions that have not been examined before.⁷⁵

First of all, the turn of the sixteenth century also saw the deaths of many of those closest to the king. Of particular significance were Cardinal Morton (1500), John, Lord Dinham the lord treasurer (1501), Reynold Bray (1503), Thomas, earl of Derby and Sir John Mordaunt (1504).⁷⁶ Most disastrous was the loss of members of the king's own family, including his uncle, Jasper Tudor, duke of Bedford (1495), his eldest son, Arthur (1502) and his queen (1503).⁷⁷ John de Vere, earl of Oxford, and Margaret Beaufort were becoming increasingly absent from the court, thus leaving no one at court willing, or most likely able, to either check or influence the behaviour of the king, as Vergil claims Bray did.⁷⁸ Dinham, Bray and Mordaunt, of Henry's councillors, were perhaps the best connected within the City before their deaths. Steven Gunn has proposed that the vacuum left by Mordaunt's death allowed Edmund Dudley to become quickly prominent within the king's council.⁷⁹ Although this may be true in the sense that Mordaunt's unexpected death left a vacancy, this was filled in large part by Richard Empson, who assumed his responsibilities as head of the council of the

⁷³ LMA, COL/CA/01/01/001, fo. 149.

⁷⁴ TNA: PRO, PROB 11/14/156; PROB 11/14/763.

⁷⁵ D. Starkey, 'Intimacy and innovation: the rise of the privy chamber, 1485–1547', in *The English Court*, ed. D. Starkey (1987), pp. 71–119.

⁷⁶ To this list might also be added John, Lord Cheyne and John, Viscount Wells (1499), Robert, Lord Willoughby de Broke (1502) and George Stanley, Lord Strange (1503) (S. J. Gunn, 'Henry VII', *ODNB*).

⁷⁷ One might also include his third son, Edmund, who died in 1499.

⁷⁸ Condon, 'Bray, Sir Reynold', *ODNB*; Ellis, *Three Books of Polydore Vergil's English History*, p. 128.

⁷⁹ S. J. Gunn, 'Dudley, Edmund (c.1462–1510)', *ODNB*.

duchy of Lancaster.⁸⁰ It had been Dudley's early patronage by Reynold Bray, his expertise as a lawyer and, crucially, his intimate knowledge of the capital's government and personnel that made him invaluable to the king in light of the loss of a number of servants with well-established City connections.

Over approximately the same time period the City of London experienced a similar loss of key personnel. Of the twenty-eight men who served as aldermen during the year 1499 (not including the prior of Holy Trinity who served as the *ex officio* alderman of Portsoken) seventeen had either died or were excused from their posts by 1504, with the deaths of a further three the following year.⁸¹ Among the dead were men well known to the royal administration, including Henry Colet, John Fenkill, John Percyvale, Bartholomew Rede and John Shaa. The influx of new personnel largely unknown to the crown administration accentuated the hole left in Henry's connections to the City by the death of men like Bray, Rede and Shaa (Table 9.1).

It is reasonable to ask whether such a hole was really a problem for the crown-City relationship. Did Henry need insider knowledge of the London civic administration? How important was the capital to the monarch, and to this monarch in particular?

The intimacy of the City and the crown relationship had been reflected in rhetoric employed by both entities during the fourteenth century. London was referred to as the 'king's chamber', an allusion to the qualities it shared with the king's chamber within the household.⁸² The financial and moral support of the Londoners had been influential in the dynastic wars of the fifteenth century by making Edward of York's bid for the throne possible.⁸³ The volume of both people and riches within its walls conferred a political power upon the City that Henry was acutely aware of, especially as, according to Vergil, his bid for the throne in summer 1485 had been aided by funding raised by Bray in the city of London.⁸⁴

The civic government of London, comprised as it was of the great merchants and businessmen of the capital, were not, as J. L. Bolton has pointed out,

⁸⁰ This was initially in the capacity of keeper of the seal of the duchy until promotion a year later to chancellor of the duchy (M. M. Condon, 'Empson, Sir Richard (c.1450–1510)', *ODNB*).

⁸¹ Only 25 served at any one time but turnover levels during the year meant that 28 served in total during that particular year. See Table 9.1.

⁸² C. Liddy, 'The rhetoric of the royal chamber in late medieval London, York and Coventry', *Urban History*, xxix (2002), 329–32.

⁸³ For the nature of London's support of Edward IV, see C. M. Barron, 'London and the crown, 1451–61', in *The Crown and the Local Communities in England and France in the Fifteenth Century*, ed. J. R. L. Highfield and R. Jeffs (Gloucester, 1981), pp. 88–109.

⁸⁴ Ellis, *Three Books of Polydore Vergil's English History*, pp. 196, 215–6.

Medieval merchants and money

Table 9.I. Aldermen sitting in 1499

		Aldermen who left office 1499–1504			Aldermen who died 1505
Dates as Aldermen					
Name	Occupation	From	To	Notes	Reference
Nicholas Alwyn	Mercer	1496	1506		
John Broke	Grocer	1488	1502	Discharged	LMA, COL/CA/01/01/001, fos. 94, 96v.
William Capell	Draper	1485	1515		
Richard Chawry	Salter	1481	1509		
Henry Colet	Mercer	1476	1505	Died	
Henry Cote	Goldsmith	1490	1505	Died	
Robert Fabyan	Draper	1494	1503	Discharged	LMA, COL/CA/01/01/001, fos. 137v, 138.
John Fenkill	Draper	1485	1499	Died	
Richard Haddon	Mercer	1499	1516		
William Issak	Draper	1487	1503	Discharged	LMA, COL/CA/01/01/001, fo. 141v
Stephen Jennings	Merchant Taylor	1499	1523		
John Mathew	Mercer	1482	1499	Died	
William Martyn	Skinner	1483	1505	Died	
Hugh Pemberton	Tailor	1491	1500	Died	
John Percyvall	Merchant Taylor	1485	1503	Died	
William Purchase	Mercer	1492	1502	Discharged	
William Remington	Fishmonger	1485	1511		
Bartholomew Rede	Goldsmith	1498	1504	Died	
John Shaa	Goldsmith	1496	1503	Died	
John Tate	Mercer	1485	1515		
Robert Tate	Mercer	1479	1500	Died	
Robert Tilney	Grocer	1485	1499	Died	
John Warde	Grocer	1479	1501	Died	
William Welbeck*	Haberdasher	1492	1504	Discharged	LMA, COL/CA/01/01/001, fo. 167
William White	Draper	1482	1504	Died	
Thomas Wood	Goldsmith	1496	1504	Died	
Thomas Wyndoute	Mercer	1499	1500	Died	
John Wyngar	Grocer	1498	1505	Died	

Source: Beaven, *Aldermen* unless otherwise stated.

* Beaven is wrong in stating that Welbeck was discharged from the court of aldermen in 1501 (Beaven, *Aldermen*, i. 72) as Welbeck was still regularly attending meetings until March 1504 (last recorded attendance 7 November 1504, LMA, COL/CA/01/01/001, fo. 155).

‘political eunuchs with neither will nor opinion of their own’ willing only to follow the politics of expediency. They could not afford to be, as the politics of trade were essential to their continued prosperity.⁸⁵ Rather they were politically aware, diplomatically adept and materially rich men who looked to their own interests. Henry, a monarch obsessed with his own security, was rightly wary of the political power the City elite could wield if it so wished.⁸⁶ Employing men who could facilitate communication between the powerful entity of the capital and his own administration was simply common sense.

Edmund Dudley was the man who would step into the vacuum created by the loss of personnel who had facilitated City-crown communication earlier in the reign. Dudley’s rise within the king’s service was swift. As a lawyer who probably studied at Gray’s Inn, Dudley would have spent many years living in London.⁸⁷ After serving as an MP twice and on various commissions of the peace in Sussex he was appointed, in 1497, to be one of two undersheriffs of London, serving with Thomas Marowe, and remained in that post with Marowe until September 1502.⁸⁸ He was speaker of the house of commons in the first quarter of 1504 and sworn of the king’s council in October that year, becoming president of that body by July 1506.⁸⁹ To the king’s other long-serving councillors, such as Richard Fox, bishop of Winchester and lord privy seal, Sir Thomas Lovell and William Warham, archbishop of Canterbury and lord chancellor, Dudley’s rise in royal service must have seemed meteoric.

Upon the accession of Henry VIII it was Dudley, along with his colleague Sir Richard Empson, who would be blamed for the excessive financial exactions of the last reign. Vergil referred to these men as ‘fiscal judges’ who ‘competed in gaining greater favour with their sovereign, and from the

⁸⁵ J. L. Bolton, ‘The City and the crown’, *The London Journal*, xii (1986), 1–24, at p. 12.

⁸⁶ The City had demonstrated its political and diplomatic abilities early in the reign when it defied Henry’s will to effectively conduct its own foreign policy with the Low Countries (S. P. Harper, ‘Divide and rule? Henry VII, the mercers, merchant taylors and the corporation of London’, *The Fifteenth Century XI. Concerns and Preoccupations*, ed. L. Clark (Woodbridge, 2012), pp. 127–40.

⁸⁷ D. M. Brodie, ‘Edmund Dudley: minister of Henry VII’, *Transactions of the Royal Historical Society*, 4th ser., xv (1932), 136.

⁸⁸ LMA, COL/CC/01/01/010, fo. 268v. Marowe was to resign as undersheriff in Nov. 1502 (LMA, COL/CC/01/01/010, fo. 273). Dudley and Marowe were rewarded for their service the following Dec. by the City with an annuity of 20s each and a livery (LMA, COL/CA/01/01/001, fo. 119).

⁸⁹ James Ross has recently pointed out that Dudley may have been active in the king’s service earlier than has previously been presumed (J. Ross, “‘Contrary to the right and to the order of the law’: new evidence of Edmund Dudley’s activities on behalf of Henry VII in 1504”, *English Historical Review*, cxxvii (2012), 24–45; Gunn, ‘Dudley, Edmund (c.1462–1510)’, *ODNB*).

beginning, armed with a crew of tattle-tales who would denounce men by name'.⁹⁰ *The Great Chronicle* stated that Dudley's authority within London was so great that 'whoo soo evyr had the sword born before hym, Dudley was mayer, and what his pleasure was, was doon, thowth the auctoryte of the Cytr and ffraunchyse of the same stood clerely agayn It'.⁹¹

During Dudley's time as undersheriff of London he would have worked alongside many of the new aldermen chosen at the turn of the century as well as cementing his relationship with some of the older faces. It is unknown whether the undersheriffs would have habitually served with the same sheriff in the sheriffs' court during their tenure or if they served both sheriffs. Certainly Dudley managed to cultivate some friendships during this time: Bartholomew Rede, who was sheriff in 1497–8, named Dudley as an overseer of his will (along with Sir Thomas Lovell).⁹² Also serving as sheriff at this time were Thomas Wyndoute, who had lent large amounts of money to Henry in the first few years of the reign; Stephen Jennings, who was to become mayor at the king's behest in 1508; and James Wilford, who became an alderman in 1500, was banned from attending the court of aldermen for a year for speaking rudely to the mayor and was only reinstated after the king intervened on his behalf.⁹³

By the time he became speaker of the house of commons in January 1504, Dudley would have developed connections of different kinds with many members of the capital's mercantile community. His contacts within the City, knowledge of its personnel and understanding of civic government could not be bettered among Henry's councillors. He would have been able to tell the king which Londoners had appeared before the sheriffs' courts, who was held in bond to the City's chamberlain and which citizens might have been engaged in activities of dubious legality. He would have known which merchants had money and who had influence within the civic administration, the livery companies or among the citizens generally. He would have been able to impart City gossip and cultivate informants. Eventually his 'promoters', men who gave him information or brought actions themselves against members of the mercantile community, included men among the servants employed by the mayor and sheriffs.⁹⁴

⁹⁰ P. Vergil, *The Anglica Historia of Polydore Vergil A.D. 1485–1537*, ed. and trans. D. Hay (Camden Society, 3rd ser., lxxiii, 1950), p. 46.

⁹¹ Thomas and Thornley, *Great Chronicle*, p. 348.

⁹² TNA: PRO, PROB 11/14/763.

⁹³ C. M. Barron, *London in the Later Middle Ages: Government and People 1200–1500* (Oxford, 2004), pp. 348–50. For Wilford's ejection from the aldermanic court and reinstatement, see LMA, COL/CA/01/01/001, fos. 129, 155.

⁹⁴ Thomas and Thornley, *Great Chronicle*, pp. 348–9.

The changes in the structure in the royal household that took effect after around 1495 with the establishment of the privy chamber meant that access to the king became far more difficult.⁹⁵ Merchants, even London goldsmiths and favoured Italians, were no longer to be found in the king's inner circle after the deaths of Rede and John Shaa, and the new royal domestic arrangements meant that they would not be replaced. City goldsmiths, like John Mundy and Robert Amadas, who supplied the king with goods during the remainder of the reign remained merely suppliers, and there is little evidence that they served the king in any other capacity. With the deaths of Bray and Shaa the king was left largely bereft of insider knowledge of the civic government and intermediaries with personal contacts and networks in the capital. Dudley, with his knowledge of the City administration and its personnel, including the new men within the court of aldermen, was able to step into this void. In short, the deaths of Bray and Shaa, and the king's need for a new 'London man' meant that Dudley was the right man at the right time, which propelled his rise in government.

⁹⁵ D. Starkey, 'Intimacy and innovation: the rise of the privy chamber, 1485–1558', in *The English Court: from the Wars of the Roses to the Civil War*, ed. D. Starkey (Harlow, 1987), pp. 71–119.

IV. Money and mints

10. Medieval merchants and the English mints and exchanges, 973–1489

Martin Allen

One of the most important themes of Jim Bolton's book *Money in the Medieval English Economy 973–1489* is the crucial role of merchants in supplying bullion to the mints, and its economic context. It is the purpose of this chapter to explore further the activities of merchants as customers of the English mints and exchanges in the period covered by the book, the connections between the production of coinage and foreign and domestic trade, and official responses to monetary problems.

The English mints were usually dependent upon bullion imported by merchants to a great extent, although there were some limited supplies of locally mined silver; precious metal objects might be converted into coins; and the recycling of the currency in circulation could provide most of the bullion at times of recoinage.¹ The great expansion in English mint outputs in the late tenth and early eleventh centuries may well have been largely supported by imports of German silver from Flemish and German merchants coming to England to buy wool and other commodities.² England also had trade with Normandy, Scandinavia and Ireland in the eleventh century, attested by coin finds as well as by written sources, which probably provided some silver for the English mints.³ It has been argued that

¹ M. Allen, 'Silver production and the money supply in England and Wales, 1086–c.1500', *Economic History Review*, lxiv (2011), 114–31; M. Allen, *Mints and Money in Medieval England* (Cambridge, 2012), pp. 295–316; J. L. Bolton, *Money in the Medieval English Economy 973–1489* (Manchester, 2012), pp. 66–8.

² P. H. Sawyer, 'The wealth of England in the eleventh century', *Transactions of the Royal Historical Society*, 5th ser., xv (1965), 145–64, at pp. 158–63; D. M. Metcalf, 'Continuity and change in English monetary history c.973–1086. Part 2', *British Numismatic Journal*, li (1981), 52–90, at pp. 57–8; P. Nightingale, 'The evolution of weight-standards and the creation of new monetary and commercial links in northern Europe from the tenth century to the twelfth century', *Economic History Review*, 2nd ser., xxxviii (1985), 192–209, at pp. 99–101; P. Spufford, *Money and its Use in Medieval Europe* (Cambridge, 1988), pp. 74, 86–90; P. Sawyer, *The Wealth of Anglo-Saxon England* (Oxford, 2013), pp. 15–20, 98–101, 111, 114.

³ M. Dolley, 'The coins and jettons', in *Excavations in Medieval Southampton 1953–1969: the Finds*, ed. C. Platt and R. Coleman-Smith (2 vols., Leicester, 1975), ii, 315–31, at pp. 326–8; P. Sawyer, 'Anglo-Scandinavian trade in the Viking age and after', in *Anglo-Saxon Monetary History: Essays in Memory of Michael Dolley*, ed. M. A. S. Blackburn (Leicester,

the Flemish cloth industry would not have needed significant quantities of English wool before the twelfth century, but this is far from certain, and in the twelfth century we begin to have good evidence for England's wool trade with Flanders and exports via the Rhineland.⁴ Hermann of Laon's account of the visit of canons of Laon to England in 1113 provides the earliest known documentary evidence for the wool trade with Flanders. The canons sailed from Wissant in Flanders to Dover with some Flemish merchants, who were carrying more than 300 marks (£200) in silver to buy English wool, which they deposited in a warehouse at Dover for eventual export (prevented by the warehouse burning down).⁵ The first book of Henry of Huntingdon's *Historia Anglorum* (1131–1135) attributes England's plentiful supplies of silver to its extensive commerce in wool and other goods with the Rhineland.⁶ It has been suggested that an increase in supplies of mined silver from Germany caused a substantial growth in the English currency from the 1170s.⁷

1986), pp. 185–99, at pp. 185–7, 191–9; D. M. Metcalf, *An Atlas of Anglo-Saxon and Norman Coin Finds, c.973–1086* (Royal Numismatic Society Special Publication, xxxii, 1998), pp. 86, 88–9; M. Gardiner, 'Shipping and trade between England and the Continent during the eleventh century', *Anglo-Norman Studies*, xxii (1999), 71–93, at pp. 73, 83, 92–3; B. Cook, 'Foreign coins in medieval England', in *Local Coins, Foreign Coins: Italy and Europe 11th–15th Centuries. The Second Cambridge Numismatic Symposium*, ed. L. Travaini (Società Numismatica Italiana Collana di Numismatica e Scienze Affini, 8 vols., Milan, 1999), ii, 231–84, at pp. 237–8, 269–70; Allen, *Mints and Money*, p. 253.

⁴ T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), pp. 1–2, 6–7; T. H. Lloyd, *Alien Merchants in England in the High Middle Ages* (Brighton, 1982), pp. 10–12, 98–9, 128–9; Nightingale, 'The evolution of weight-standards', pp. 203–4, 207; Sawyer, 'Anglo-Scandinavian trade', pp. 187–91; D. Nicholas, *Medieval Flanders* (1992), pp. 113, 116–17; E. Miller and J. Hatcher, *Medieval England: Towns, Commerce and Crafts 1086–1348* (1995), pp. 188–94; A. Verhulst, *The Role of Cities in North-West Europe* (Cambridge, 1999), pp. 136–7; Gardiner, 'Shipping and trade', pp. 73–4; Allen, *Mints and Money*, p. 253; Bolton, *Money in the Medieval English Economy*, p. 98; Sawyer, *The Wealth of Anglo-Saxon England*, pp. 15–20.

⁵ *Patrologia Latina*, ed. J. P. Migne (217 vols., Paris, 1844–55), clvi, cols. 975–7; J. S. P. Tatlock, 'The English journey of the Laon canons', *Speculum*, viii (1933), 454–65, at pp. 456–7; E. Power, *The Wool Trade in English Medieval History* (Oxford, 1941), p. 52; R. Bartlett, *England under the Norman and Angevin Kings 1075–1225* (Oxford, 2000), p. 368; Allen, *Mints and Money*, pp. 253–4; Sawyer, *The Wealth of Anglo-Saxon England*, p. 105.

⁶ *Historia Anglorum*, ed. and trans. D. Greenway (Oxford, 1996), pp. lxxvi–lxxvii, 10–11; Allen, *Mints and Money*, p. 254; Sawyer, *The Wealth of Anglo-Saxon England*, pp. 26, 105, 114.

⁷ P. D. A. Harvey, 'The English inflation of 1180–1220', *Past & Present*, lxi (1973), 3–30, at pp. 25–8; Harvey, 'The English trade in wool and cloth, 1150–1250: some problems and suggestions', in *Produzione, commercio e consumo dei panni di lana*, ed. M. Spallanzani (Florence, 1976), pp. 369–75, at pp. 370–2, 375; N. J. Mayhew, 'Frappes de monnaies et hausse des prix en Angleterre de 1180 à 1220', in *Études d'histoire monétaire XIIe–XIXe siècles*, ed. J. Day (Lille, 1984), pp. 159–77, at pp. 166–8; A. Dawson and N. Mayhew, 'A

Merchants with silver to exchange for new English coins may have visited the moneyers at their houses or workshops, or have done business with them at a market.⁸ Major towns and cities might have many moneyers' houses and workshops. In Winchester, the Winton Domesday (c.1110) documents five mint workshops (*monete*) destroyed to make room for the enlargement of the royal palace in the city; at least eighteen forges (*forgiae*), some of which may have been used by moneyers; and many houses of moneyers, both at the time of the survey and in the reign of Edward the Confessor (1042–66).⁹ There is further evidence of this kind in the Winchester survey of 1148.¹⁰ Some smaller urban centres may only have had the services of moneyers when they visited them to do business. The survey of the estates and revenues of Peterborough Abbey during the vacancy of 1125–8 notes that the moneyers of Stamford owed 20s a year for their exchanges at the markets of Oundle and Peterborough (which did not have resident moneyers), and another 20s at a recoinage.¹¹ In 1129–33 a charter of Henry I granted the customs, exchange (*bursam*), market and port of Lynn (now King's Lynn) to the bishop of Norwich, which may indicate that Norwich moneyers visited Lynn to exchange their coins.¹²

During the twelfth and early thirteenth centuries the number of English mints was progressively reduced, with some temporary increases, until by the early 1220s there were only three, in London, Canterbury and Bury St. Edmunds. The London and Canterbury mints now had almost complete control of the business generated by foreign trade, which was reinforced in 1221 by a writ to the abbot of Bury St. Edmunds, prohibiting the use of his

Continental find including Tealby pennies', *British Numismatic Journal*, lvii (1987), 113–18, at p. 115; Allen, *Mints and Money*, pp. 254–5.

⁸ M. Biddle and others, *Winchester in the Early Middle Ages: an Edition and Discussion of the Winton Domesday* (Winchester Studies 1, Oxford, 1976), pp. 402, 421, 443–4.

⁹ Biddle, *Winchester in the Early Middle Ages*, pp. 397–403, 405, 407, 409–10, 421–2; D. M. Metcalf, 'The premises of early medieval mints: the case of eleventh-century Winchester', in *I luoghi della moneta le sedi delle zecche dall'antichità all'età moderna. Atti del convegno internazionale 22–23 ottobre 1999 Milano*, ed. R. La Guardia (Milan, 2001), pp. 59–67, at pp. 60–1; Allen, *Mints and Money*, pp. 6–7.

¹⁰ Biddle, *Winchester in the Early Middle Ages*, pp. 415–21; Allen, *Mints and Money*, pp. 7–8.

¹¹ *Chronicon Petroburgense*, ed. T. Stapleton (Camden Series, xlvii, 1849), p. 166; W. C. Wells, 'The Stamford and Peterborough mints. Part 1', *British Numismatic Journal*, xxii (1934–37), 35–77, at pp. 54, 57; E. King, 'Economic development in the early twelfth century', *Progress and Problems in Medieval England*, ed. R. Britnell and J. Hatcher (Cambridge, 1996), pp. 1–22, at p. 15; Allen, *Mints and Money*, pp. 3, 11.

¹² *Regesta regum anglo-normannorum, 1066–1154*, ed. H. W. C. Davis, C. Johnson and H. Cronne (4 vols., Oxford, 1913–69), ii. 279, no. 1853; King, 'Economic development', p. 15; Allen, *Mints and Money*, p. 3.

mint to exchange the silver of merchants who would normally have gone to the London mint.¹³ In 1223 letters patent were sent to the merchants of Arras, Ghent, St. Omer and Ypres in Flanders informing them that their silver could now only be exchanged in London and Canterbury.¹⁴ Some foreign silver may have continued to go to the Bury St. Edmunds mint, but its exchange was leased to the king from 1223 to 1230.¹⁵

Flemish wool merchants never had a monopoly of the import of silver. In 1235 merchants of the Toulousain in southern France were licensed to import silver to be taken to the London and Canterbury mints, and about 200 marks of silver was stolen from some merchants of Brabant travelling through Hampshire in 1248.¹⁶ Richard Cassidy's analysis of the merchants' names in the four surviving rolls of purchase from the London and Canterbury exchanges in the 1250s and 1260s has shown that most of the names indicating places of origin relate to Flanders, Brabant and England, with a few names from Cologne, Hamburg, Gascony, Scotland and Denmark, and one Florentine.¹⁷ On a much smaller scale, an account of the Bury St. Edmunds mint for a few months of a year between 1268 and 1276 records purchases of silver from four merchants, two of them German and the other two English.¹⁸

¹³ *Rotuli litterarum clausurarum in Turri Londinensi asservati*, ed. T. D. Hardy (2 vols., London 1833–44), i, 479; J. D. Brand, *The English Coinage 1180–1247: Money, Mints and Exchanges* (British Numismatic Society Special Publication, i, 1994), p. 49; R. J. Eaglen, *The Abbey and Mint of Bury St. Edmunds to 1279* (British Numismatic Society Special Publication, iv, 2006), p. 147; A. Gransden, *A History of the Abbey of Bury St. Edmunds 1182–1256 (Samson of Tottington to Edmund of Walpole)* (Studies in the History of Medieval Religion, xxxi, Woodbridge, 2007), p. 241; Allen, *Mints and Money*, pp. 59, 257.

¹⁴ *CPR 1216–1225*, p. 366; L. A. Lawrence, 'The short-cross coinage, 1180 to 1247', *British Numismatic Journal*, xi (1915), 59–100, at pp. 73–4; *The De moneta of Nicholas Oresme and English Mint Documents*, ed. and trans. C. Johnson (1956), p. xxiii; Gransden, *A History of the Abbey of Bury St. Edmunds*, p. 241.

¹⁵ *CPR 1216–1225*, pp. 405–6; *CCR 1227–1231*, p. 299; Brand, *The English Coinage*, p. 49; Eaglen, *The Abbey and Mint*, pp. 147–8; Allen, *Mints and Money*, p. 257.

¹⁶ *CPR 1232–1247*, p. 90; *Chronica majora*, ed. H. R. Luard (Rolls Series, lvii, 7 vols., 1872–83), v, 56–60; M. T. Clanchy, 'Highway robbery and trial by battle', in *Medieval Legal Records Edited in Memory of C. A. F. Meekings*, ed. R. F. Hunnisett and J. B. Post (1978), pp. 26–61; N. Fryde, 'Silver, recoinage and royal policy in England 1180–1250', in *Minting, Monetary Circulation and Exchange Rates*, ed. E. van Cauwenberghe and F. Irsigler (Trierer Historische Forschungen, vii, Trier, 1984), pp. 11–30, at pp. 20–2, 26; Allen, *Mints and Money*, p. 257.

¹⁷ R. Cassidy 'The exchanges, silver purchases and trade in the reign of Henry III', *British Numismatic Journal*, lxxxi (2011), 107–18, at pp. 113–16.

¹⁸ BL, Harley MS 645, fo. 219; M. Allen, 'Documentary evidence for the output, profits and expenditure of the Bury St. Edmunds mint', *British Numismatic Journal*, lxix (1999), 211–13.

During Simon de Montfort's brief ascendancy in 1264–5 the wool trade and the English mints' supplies of silver were severely affected by an Anglo-Flemish trade dispute. After de Montfort's defeat and death at Evesham in 1265 steps had to be taken to encourage foreign merchants to come to England again, including the issue of a safe conduct to the merchants of Ghent bringing their silver to the London exchange.¹⁹ There was further disruption of the wool trade and mint business during a revival of the Anglo-Flemish dispute in the 1270s.²⁰ Letters patent were issued in 1271 and 1272 to merchants of Brabant coming to England with silver for the London mint, giving them safe conduct, but the Anglo-Flemish dispute caused the closure of the Canterbury mint nonetheless.²¹ Later in the 1270s an epidemic of coin clipping also had a bad effect on mint business. The chronicler Thomas Wykes says that foreign merchants were staying away from England because they did not want to be paid in bad money.²² This problem was solved by Edward I's recoinage of 1279–81, which removed from circulation the existing coinage, clipped and unclipped.

From the inception of Edward I's recoinage in 1279 to 1343 the accounts of the London and Canterbury mints record purchases of imported foreign silver and English silver separately, because they incurred different minting charges.²³ This provides a measure of the relative contributions of foreign and domestic sources of silver not available at any other time. It will be seen from Figure 10.1 that foreign silver was usually the main source of bullion, except at times of recoinage (1279–81 and 1299–1302), and in 1331–40, when imported foreign gold and silver coins were being used to pay for wool exports without being taken to the mints for conversion into English coins.²⁴

¹⁹ *Chronicon Petroburgense*, pp. 69, 73; *Annales monastici*, ed. H. R. Luard (Rolls Series xxxvi, 4 vols., 1864–69), iv. 158–9; *CPR 1258–1266*, pp. 454, 459; Allen, *Mints and Money*, 257; R. Cassidy, 'The royal exchanges and mints in the period of baronial reform', *British Numismatic Journal*, lxxxiii (2013), 134–48, at p. 145.

²⁰ Lloyd, *The English Wool Trade*, pp. 25–59; Allen, *Mints and Money*, p. 258; Cassidy, 'The royal exchanges and mints', p. 145.

²¹ *CPR 1266–1272*, pp. 522, 632; Allen, *Mints and Money*, p. 257; Cassidy, 'The royal exchanges and mints', p. 145.

²² *Annales monastici*, iv. 278; M. Mate, 'Monetary policies in England, 1272–1307', *British Numismatic Journal*, xli (1972), 34–79, at pp. 40–1.

²³ C. G. Crump and C. Johnson, 'Tables of bullion coined under Edward I, II, and III', *The Numismatic Chronicle and Journal of the Royal Numismatic Society*, 4th ser., xiii (1913), 200–45, at pp. 204–16, 226–32; H. A. Miskimin, *Money, Prices, and Foreign Exchange in Fourteenth-Century France* (1963), pp. 96–8; Mate, 'Monetary policies', pp. 75, 78; Allen, *Mints and Money*, pp. 259–60.

²⁴ M. Mate, 'High prices in early fourteenth-century England: causes and consequences', *Economic History Review*, 2nd ser., xxviii (1975), 1–16, at p. 13; T. H. Lloyd, 'Overseas

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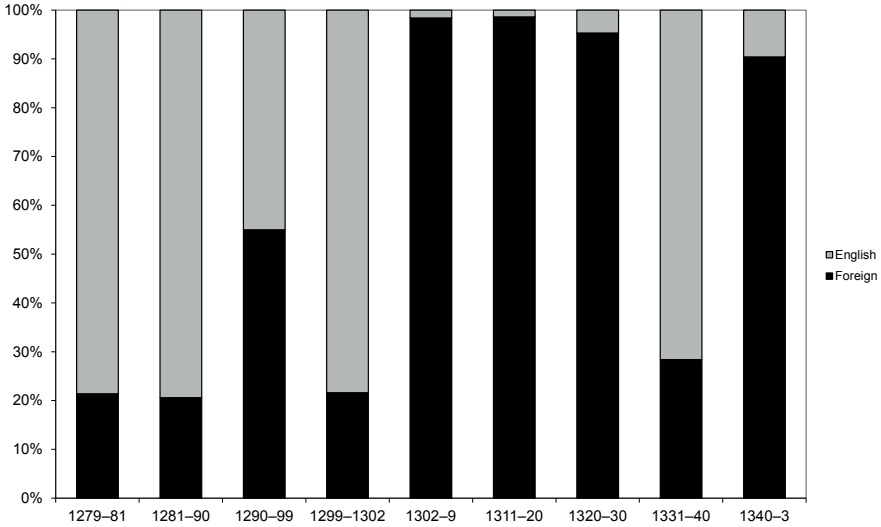


Figure 10.1. Percentages of English and foreign silver at the London and Canterbury mints, 1279–1343

The import and use of foreign coins by merchants was a perennial problem for medieval English governments and parliaments, causing them concern because it threatened the quality of the currency in circulation in England and took business away from the mints. The official responses to this problem in the 1280s and 1290s are particularly well documented. In 1283 John de Bourne was appointed to search for foreign coins imported at Dover and Sandwich, and in the following year the search was extended to other ports to enforce a statute against imported coins, but in 1285 John de Bourne was censured for confiscating money that foreign merchants had claimed they were taking to the mints.²⁵ In 1289 the prohibition of foreign

trade and the English money supply in the fourteenth century', in *Edwardian Monetary Affairs (1279–1344): a Symposium held in Oxford, August 1976*, ed. N. J. Mayhew (British Archaeological Reports xxxvi, Oxford, 1976), pp. 96–124, at pp. 105–8; N. J. Mayhew, 'From regional to central minting, 1158–1464', in *A New History of the Royal Mint*, ed. C. E. Challis (Cambridge, 1992), pp. 83–178, at pp. 143–4; Allen, *Mints and Money*, pp. 261–2.

²⁵ *CPR 1281–1292*, p. 86; *Statutes of the Realm*, i. 219; R. Ruding, *Annals of the Coinage of Great Britain and its Dependencies; from the Earliest Period of Authentic History to the Reign of Victoria* (3rd edn., 3 vols., 1840), i. 196–7; M. Prestwich, 'Edward I's monetary policies and their consequences', *Economic History Review*, 2nd ser., xxii (1969), 406–16, at pp. 407–9; Mate, 'Monetary policies', pp. 56–7; J. H. Munro, 'Bullionism and the bill of exchange in England, 1272–1663: a study in monetary management and popular prejudice', in *The Dawn of Modern Banking*, ed. F. Chiappelli (1979), pp. 169–239, at pp. 188–9, 216; N. J. Mayhew,

coins was reissued, and the searches were extended to further ports.²⁶ A new statute against foreign and clipped coins in 1291 was followed in 1291–2 by confiscations from 138 foreign merchants at Dover and Sandwich, the checking of all money paid in at the exchequer, and searches at fairs, in the port of London, and on London Bridge.²⁷ Some searches continued until 1296.²⁸ After all this effort, nothing could be done to prevent the influx of the foreign sterlings known as pollards and crockards in the late 1290s that culminated in the Statute of Stepney in 1299 and the recoinage of 1300.²⁹

Prohibitions of imported foreign coins continued until the 1470s, and in 1340 there was the first of a new series of regulations requiring merchants to deposit bullion with the mints or the customs collectors when they exported English goods (mainly wool).³⁰ The Statute of Westminster required merchants to deposit 2 marks of silver for every sack of wool exported, but the re-enactment of this statute in 1343 was opposed by merchants in parliament on the grounds that they had to sell their wool for gold and not silver.³¹ The introduction of Edward III's gold coinage in

Sterling Imitations of Edwardian Type (Royal Numismatic Society Special Publication xiv, 1983), p. 18; M. B. Mitchiner and A. Skinner, 'Contemporary forgeries of English silver coins and the chemical compositions: Henry III to William III', *The Numismatic Chronicle*, cxlv (1985), 209–36, at pp. 214, 226; Cook, 'Foreign coins', p. 250; Allen, *Mints and Money*, pp. 259, 355.

²⁶ *CCR 1288–1296*, p. 9; Mate, 'Monetary policies', p. 57; Allen, *Mints and Money*, p. 355.

²⁷ *Statutes of the Realm 1101–1713*, ed. A. Luders, T. E. Tomlins, J. France, W. E. Taunton and J. Raithby (11 vols., 1810–28), i. 220; Ruding, *Annals of the Coinage*, i. 198–9; Mate, 'Monetary policies', pp. 58–9; N. J. Mayhew and D. R. Walker, 'Crockards and pollards: imitation and the problem of fineness in a silver coinage', in Mayhew, *Edwardian Monetary Affairs*, pp. 125–46, at p. 130; Munro, 'Bullionism and the bill of exchange', pp. 188–9; Mitchiner and Skinner, 'Contemporary forgeries', p. 215; Allen, *Mints and Money*, p. 355.

²⁸ J. C. Davies, 'The wool customs accounts for Newcastle upon Tyne for the reign of Edward I', *Archaeologia Aeliana*, 4th ser., xxxii (1954), 220–308, at pp. 275–96; Mate, 'Monetary policies', pp. 59–60, 63; J. D. Brand, 'A glimpse of the currency in 1295', *Spink Numismatic Circular*, xcv (1987), 215–16, 251–3, at pp. 251–2; Allen, *Mints and Money*, pp. 355–6.

²⁹ *Statutes of the Realm*, i. 131–5; Ruding, *Annals of the Coinage*, i. 199–201; Mate, 'Monetary policies', pp. 63–4; Mayhew, 'From regional to central minting', pp. 138–40; Allen, *Mints and Money*, pp. 193–4, 260–1, 356–7; Bolton, *Money in the Medieval English Economy*, pp. 161–2.

³⁰ Munro, 'Bullionism and the bill of exchange', pp. 192–6, 216–19.

³¹ *Rot. Parl.*, ii. 105, 137–8; *Statutes of the Realm*, i. 289, 291; Ruding, *Annals of the Coinage*, i. 213, 216; J. H. Munro, *Wool, Cloth and Gold: the Struggle for Bullion in Anglo-Burgundian Trade, 1340–1478* (Brussels and Toronto, 1973), p. 36; Lloyd, *The English Wool Trade*, pp. 183–5, 196–8; Lloyd, 'Overseas trade', pp. 109–10; M. Mate, 'The role of gold coinage in the English economy, 1338–1400', *Numismatic Chronicle*, 7th ser., xviii (1978), 126–41, at pp. 127–8; Munro, 'Bullionism and the bill of exchange', pp. 193, 226; Mayhew, 'From regional to central minting', pp. 163–6; Allen, *Mints and Money*, p. 263.

1343–4 finally provided the means to convert the gold received by wool merchants into English coins. A last attempt to revive the statute of 1340 in 1348 was shelved after merchants successfully claimed in parliament that the count of Flanders, Louis de Male, had prevented their compliance by a ban on exports of bullion from his lands.³²

The mint that opened at Calais in 1363 (after a false start in 1349–50), to serve the needs of the wool trade, became a focus of attempts to regulate the supply of bullion by merchants. In 1363 it was decreed that all foreign coins received by the Staple newly established at Calais should be taken to the mint, and in the following year this was superseded by new regulations requiring the deposit of three ounces of gold or its equivalent in silver for each sack of wool, but the effectiveness of these regulations is doubtful.³³ The regulations took no account of the increasing use of credit and bills and letters of exchange in the wool trade, which reduced the need to take bullion to Calais.³⁴ The business of the Calais mint also seems to have been badly affected in the 1370s by the licensing of wool sales outside the control of the Staple, which was included in the articles of impeachment against Richard Lyons (the warden of the London mint) and Lord Latimer in the Good Parliament of 1376. In this parliament the London merchant Adam de Bury was accused of causing the closure of the king's exchange in the city of London by exchanging in his own house.³⁵

In 1379 a continuing shortage of bullion at the mints was the subject of a parliamentary enquiry. Mint officials and experts summoned to answer questions said that English coinage was being exported because it was too strong in comparison with foreign currency, and that any bullion imported was immediately re-exported. English silver coins were being exported in exchange for bad Scottish coins, and the coins remaining in circulation were being reduced in bullion value by clipping. The solutions proposed

³² *Rot. Parl.*, ii. 202, no. 15; Munro, *Wool, Cloth and Gold*, pp. 35–7; Lloyd, *The English Wool Trade*, pp. 183–4, 196–7; Munro, 'Bullionism and the bill of exchange', p. 193.

³³ Ruding, *Annals of the Coinage*, ii. 255; L. Deschamps de Pas, 'Études sur les monnaies de Calais', *Revue Belge de Numismatique*, xxxix (1883), 175–224, at pp. 182–6; A. S. Walker, 'The Calais mint, A.D. 1347–1470', *British Numismatic Journal*, xvi (1921–22), 77–112, at pp. 107–9; Munro, *Wool, Cloth and Gold*, pp. 39–40; Allen, *Mints and Money*, p. 266.

³⁴ Lloyd, *The English Wool Trade*, pp. 240–2, 244; Lloyd, 'Overseas trade', p. 118.

³⁵ *Rot. Parl.*, ii. 323–5, 330; *CFR 1369–1377*, p. 348; Ruding, *Annals of the Coinage*, i. 233; T. F. Reddaway, 'The king's mint and exchange in London 1343–1543', *English Historical Review*, lxxxii (1967), 1–23, at p. 9; Lloyd, *The English Wool Trade*, p. 223; P. Woodhead, 'Calais and its mint: part two', in *Coinage in the Low Countries (880–1500): the Third Oxford Symposium on Coinage and Monetary History*, ed. N. J. Mayhew (British Archaeological Reports International Series, liv, Oxford, 1979) pp. 185–202, at p. 188; Allen, *Mints and Money*, pp. 220, 267.

included requiring merchants to spend all of the proceeds of their sales of imports on English goods, the banning of exports of bullion and imports of Scottish and Flemish money, a strict control of the taking of money abroad to the papal curia and by clergy and pilgrims, and a reduction of the amount of gold in the English noble.³⁶ All of these solutions would be tried, with varying degrees of success, over the next century or so. The most immediate result of the enquiry was an ordinance requiring the deposit of one shilling's worth of gold for every pound in value of wool exports and certain luxury imports, which seems to have yielded no more than a relatively small amount of gold.³⁷

Mint outputs continued to decline in the closing years of the fourteenth century, despite all official attempts to sustain them. Mints throughout Europe were feeling the effects of a 'bullion famine' (caused by a combination of a slump in mining outputs and the export of precious metals to the east), which was at its worst in the first decade of the fifteenth century, and a temporary recovery was followed by a second crisis from the 1440s to the 1460s.³⁸ In response to the onset of the first bullion famine, bullion regulations of 1391 and 1397 required exporters to deposit one ounce of gold at the London mint for each sack of wool or 240 wool fells.³⁹ These regulations were put into effect, although the merchants of the Calais Staple petitioned that it was inconvenient for them to take gold to London when there was a mint in Calais and a ban on the export of gold from the Burgundian Low

³⁶ *Rot. Parl.*, iii. 126–7; Munro, 'Bullionism and the bill of exchange', pp. 202–3; W. M. Ormrod, 'The Peasants' Revolt and the government of England', *Journal of British Studies*, xxix (1990), 1–30, at p. 27; Mayhew, 'From regional to central minting', pp. 170–1; P. Nightingale, *A Medieval Mercantile Community: the Grocers' Company and the Politics and Trade of London, 1000–1485* (1995), p. 258 n. 2; J. L. Bolton, 'Was there a "crisis of credit" in fifteenth-century England?', *British Numismatic Journal*, lxxxi (2011), 144–64, at pp. 149–50; Allen, *Mints and Money*, p. 267; Bolton, *Money in the Medieval English Economy*, pp. 245–6, 247–8.

³⁷ *Rot. Parl.*, iii. 66, 392; *CCR 1377–1381*, p. 193; Ruding, *Annals of the Coinage*, i. 237–9; Munro, *Wool, Cloth and Gold*, p. 44; Lloyd, *The English Wool Trade*, p. 242; Lloyd, 'Overseas trade', p. 117; Allen, *Mints and Money*, p. 267.

³⁸ J. Day, 'The great bullion famine of the fifteenth century', *Past & Present*, lxxix (1978), 3–54 (reprinted in J. Day, *The Medieval Market Economy* (Oxford, 1987), pp. 1–54); Spufford, *Money and its Use*, pp. 339–62; Bolton, 'Was there a "crisis of credit"', p. 145; Bolton, *Money in the Medieval English Economy*, pp. 47, 232–6, 249.

³⁹ *Rot. Parl.*, iii. 285, 340; *CCR 1389–1392*, pp. 422–3, 448, 527–8; *CCR 1396–1399*, pp. 37–8, 88–9; Ruding, *Annals of the Coinage*, i. 246; E. E. Power, 'The wool trade in the fifteenth century', in *Studies in English Trade in the Fifteenth Century*, ed. E. E. Power and M. M. Postan (1933), pp. 39–90, at p. 80; Munro, *Wool, Cloth and Gold*, pp. 46, 54–5; Lloyd, *The English Wool Trade*, pp. 243–5; Lloyd, 'Overseas trade', p. 118; Allen, *Mints and Money*, pp. 267–9.

Countries.⁴⁰ Henry IV rescinded the requirement to take the gold to the London mint in his first parliament in 1399, but the Calais mint closed in 1403/4, as the bullion famine worsened.⁴¹ The merchants of the Staple may themselves have contributed to the difficulties of the Calais mint by using the light-weight imitations of the English noble struck in Flanders from 1388 to 1402. A petition in the parliament of 1401 complained that the Staplers were importing Flemish nobles (worth 2*d* less than the English originals) into England, and a ban on Flemish coins resulted.⁴²

The severe shortage of bullion in the early years of the fifteenth century prompted the appointment of Richard Garner as master of the mints and warden of the city of London exchange in 1409, and the reductions of the weight standards of the coinage that followed.⁴³ Weight reductions increased the prices that the mints were able to pay for bullion, and they could encourage the recoinage of heavier coins still in circulation. Mint outputs revived after the weight reductions of 1411/12, but many of the coins in circulation were clipped down to the new weights or below, causing a new problem.⁴⁴ A statute in the parliament of May 1421 banned the use of gold coins weighing less than the official standard from the following Christmas. A London chronicle records that Londoners hastened to supply themselves with scales to weigh their gold coins, and that there was a shortage of silver

⁴⁰ *Rot. Parl.*, iii. 369–70; Ruding, *Annals of the Coinage*, i. 246–7; Walker, ‘The Calais mint’, pp. 110–11; Munro, *Wool, Cloth and Gold*, p. 56; Lloyd, *The English Wool Trade*, p. 245; Lloyd, ‘Overseas trade’, pp. 118–19; J. H. Munro, ‘Mint policies, ratios, and outputs in the Low Countries and England, 1335–1420: some reflections on new data’, *Numismatic Chronicle*, cxli (1981), 71–101, at pp. 87–8; Allen, *Mints and Money*, p. 268.

⁴¹ *Rot. Parl.*, iii. 429; Ruding, *Annals of the Coinage*, i. 249; Munro, *Wool, Cloth and Gold*, pp. 56–7; Lloyd, *The English Wool Trade*, p. 245; Lloyd, ‘Overseas trade’, pp. 118–19; Woodhead, ‘Calais and its mint’, pp. 188–9; Munro, ‘Mint policies’, pp. 91–2; M. Allen, ‘The output and profits of the Calais mint, 1349–1450’, *British Numismatic Journal*, lxxx (2010), 131–9, at pp. 134, 138; Allen, *Mints and Money*, p. 270.

⁴² *Rot. Parl.*, iii. 470; *Statutes of the Realm*, ii. 122; Ruding, *Annals of the Coinage*, i. 250; Power, ‘The wool trade’, pp. 80–1; P. Spufford, ‘Continental coins in late medieval England’, *British Numismatic Journal*, xxxii (1963), 127–39, at pp. 130–1; Munro, *Wool, Cloth and Gold*, p. 60; Lloyd, *The English Wool Trade*, p. 245; Munro, ‘Mint policies’, p. 92; Allen, *Mints and Money*, pp. 270–1.

⁴³ *CPR 1408–1413*, p. 102; Ruding, *Annals of the Coinage*, i. 254–5; C. E. Blunt, ‘Unrecorded heavy nobles of Henry IV and some remarks on that issue’, *British Numismatic Journal*, xxxvi (1967), 106–13, at pp. 111–13; Reddaway, ‘The king’s mint and exchange’, pp. 13–14; Mayhew, ‘From regional to central minting’, pp. 172–3; M. Allen, ‘Italians in English mints and exchanges’, in *Fourteenth Century England II*, ed. C. Given-Wilson (Woodbridge, 2002), pp. 53–62, at pp. 61–2; Allen, *Mints and Money*, pp. 87–8.

⁴⁴ M. M. Archibald with A. G. MacCormick, ‘The Attenborough, Notts. 1966 hoard’, *British Numismatic Journal*, xxxviii (1969), 50–83, at pp. 60–4; Allen, *Mints and Money*, p. 285.

coins caused by a reluctance to exchange silver for the now suspect gold.⁴⁵ In the parliament of December 1421 the government had to concede that nobles containing only 5s 8d worth of gold would be accepted at their full face value of 6s 8d in payment of a lay subsidy granted to finance the war in France, and official weights were issued to check gold coins.⁴⁶ A recoinage of clipped gold which lasted until about 1425 greatly increased activity at the mints and exchanges, at least temporarily.⁴⁷

Bartholomew Goldbeter, the master of the royal mints from 1422 to 1431, was the subject of parliamentary petitions which throw some light upon relations between the mints and their merchant customers at this time. Goldbeter himself initiated the series of parliamentary exchanges on the master's role with a petition in the parliament of November 1422 claiming that the terms of his indenture were too harsh, that his minting charges were too low, and that merchants should bear the cost of any losses of bullion in the minting process.⁴⁸ The terms of the master's indenture were not modified in Goldbeter's favour, but he did obtain a potentially profitable appointment as warden of the city of London exchange (which was a separate operation from that of the London mint's exchange in the Tower).⁴⁹ In the parliament of October 1423 some of Goldbeter's customers went on to the offensive, petitioning that he was over-charging for the minting of silver and making only gold nobles and silver groats and no smaller coins, contrary to his indenture.⁵⁰ Goldbeter was ordered to pay a fair price for bullion and to observe the terms of his indenture, but a petition that he should exchange small sums free of charge was answered with an announcement that if any man would offer to do this he would be heard by Henry VI's council.⁵¹ Another petition in this parliament of October 1423 complained that although a mint had been established in

⁴⁵ *Statutes of the Realm*, ii. 208–9; *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (1938), p. 119; Ruding, *Annals of the Coinage*, i. 263–4; Bolton, *Money in the Medieval English Economy*, p. 237.

⁴⁶ *Rot. Parl.*, iv. 151, no. 10; iv. 155, no. 21; *CFR 1413–1422*, p. 414; Ruding, *Annals of the Coinage*, i. 264–6, 269; Reddaway, 'The king's mint and exchange', p. 14; T. F. Reddaway and L. E. M. Walker, *The Early History of the Goldsmiths' Company 1327–1509* (1975), p. 112; N. Biggs, 'Coin-weights in England – up to 1588', *British Numismatic Journal*, lx (1990), 65–79, at p. 72; Mayhew, 'From regional to central minting', p. 173; Allen, *Mints and Money*, pp. 151–2; Bolton, *Money in the Medieval English Economy*, p. 47.

⁴⁷ Allen, *Mints and Money*, pp. 227–8, 285–6.

⁴⁸ *Rot. Parl.*, iv. 177–8, no. 35; Ruding, *Annals of the Coinage*, i. 267–8; ii. 142; Allen, *Mints and Money*, p. 180.

⁴⁹ *Statutes of the Realm*, iv. 178; Ruding, *Annals of the Coinage*, i. 268–9.

⁵⁰ *Rot. Parl.*, iv. 257–8, no. 55; *Statutes of the Realm*, ii. 223; Ruding, *Annals of the Coinage*, i. 271–2.

⁵¹ *Rot. Parl.*, iv. 258, no. 55; Ruding, *Annals of the Coinage*, i. 272.

York for the recoinage of clipped coins, Goldbeter and his men had left York before their mission was accomplished, and the mint was ordered to be reopened.⁵²

The petitions against Bartholomew Goldbeter do not complain about access to the mints when they were open, or about the speed of delivery of new coins, but these were issues that might cause concern. In 1344 the constable of the Tower had to be ordered to allow free access for merchants coming to the mint in the Tower, during daylight hours.⁵³ Starting in 1355 mint indentures routinely specified that merchants should have free access to the Tower, without payments to porters or others, and they should not have to pay clerks for the issue of bills of receipt, which implies that such payments may have been demanded in the past. The indentures also required that new coins should be delivered to the merchants or their representatives at least once a week, and that if the money was insufficient to pay everybody in full they should be paid with regard to when they had delivered their bullion and its quantity.⁵⁴

One of the complaints against Bartholomew Goldbeter in 1423 was that he was not making the smaller coins, contrary to the terms of his indenture.⁵⁵ Goldbeter's indenture did indeed specify the proportions of the gold and silver he received that were to be allocated to various denominations, as had been the case in most of the indentures since 1355, but he had no financial incentive to make the smaller coins, and many of his customers may have preferred to be paid in large denominations.⁵⁶ The failure of the mints to provide sufficiently large quantities of small change for the needs of retail trade was a long-standing problem, reflected in many parliamentary petitions between 1363 and 1445.⁵⁷ One such petition in 1402 resulted in a statute which included a provision that one third of the silver taken to the

⁵² *Rot. Parl.*, iv. 200, no. 12; Ruding, *Annals of the Coinage*, ii. 269–70; M. Allen, 'Documentary evidence for the Henry VI Annulet coinage of York', *British Numismatic Journal*, lxxv (1995), 120–34.

⁵³ *CCR 1343–6*, p. 327; B. J. Cook 'The late medieval mint of London', in La Guardia, *I luoghi della moneta*, pp. 101–13, at p. 106.

⁵⁴ *CCR 1354–1360*, pp. 236–7; Mayhew, 'From regional to central minting', pp. 168–9; Allen, *Mints and Money*, p. 80 (*A New History of the Royal Mints*, ed. C. E. Challis (Cambridge, 1992), pp. 699–758 summarizes the mint indentures with references).

⁵⁵ *Rot. Parl.*, iv. 257–8, no. 55; *Statutes of the Realm*, ii. 223; Ruding, *Annals of the Coinage*, i. 271–2.

⁵⁶ *CCR 1422–1429*, pp. 59–62; M. Allen, 'The proportions of the denominations in English mint outputs, 1351–1485', *British Numismatic Journal*, lxxvii (2007), 190–209, at pp. 190–2.

⁵⁷ J. Kent, *Coinage and Currency in London from the London and Middlesex Records and other Sources: from Roman Times to the Victorians* (2005), pp. 30–1, 33; Allen, 'The proportions of the denominations', pp. 192–4; Allen, *Mints and Money*, p. 360; Bolton, *Money in Medieval English Society*, pp. 250–1.

mint should be struck into halfpence and farthings, and another in 1445 led to an exceptional issue of light-weight halfpence in 1445–7.⁵⁸

When Bartholomew Goldbeter was first appointed as master of the mints, in February 1422, the reopening of the Calais mint (closed since 1403/4) was in prospect.⁵⁹ A petition in the parliament of December 1420 had unsuccessfully asked for the reopening of the Calais mint, supported by ‘hosting’ regulations, under which all alien merchants coming to Calais would have had to host with officially registered brokers and deposit their bullion and money with them. Foreign money and underweight English coins found on inspection would have been exchanged for new coins from the Calais mint.⁶⁰ The merchants of the Staple continued their campaign for the reopening of their mint in the parliament of May 1421, petitioning that the wool subsidies could be paid in English gold nobles only, although they were not allowed to export these coins from England, but they were unsuccessful once more.⁶¹ In November 1421 the lieutenant and constables of the Staple wrote to Richard Whittington, the mayor of Calais, complaining they were being obliged to obtain nobles at great expense in Flanders to pay their dues, and seeking his help in speaking to Henry V’s council about the need to reopen the mint.⁶² Finally, a petition in the parliament of December 1421 was successful, and the mint was reopened in the summer of 1422.⁶³ The Calais mint then embarked upon a period of exceptionally heavy output in gold, with a move to silver in the mid 1420s following changes in the mint prices for bullion in Flanders which made silver the metal of preference in payments for wool.⁶⁴

⁵⁸ *Rot. Parl.*, iii. 498, no. 46; v. 108–9; Ruding, *Annals of the Coinage*, i. 250–1, 275–6; Mayhew, ‘From regional to central minting’, p. 176; Allen, ‘The proportions of the denominations’, pp. 193–4; Allen, *Mints and Money*, pp. 361–3.

⁵⁹ *CCR 1419–1422*, pp. 230–4; *Proceedings and Ordinances of the Privy Council of England 1386–1542*, ed. N. H. Nicolas (7 vols., 1834–37), ii. 332; Ruding, *Annals of the Coinage*, i. 256, 264; Deschamps de Pas, ‘Études sur les monnaies’, pp. 194–6; Walker, ‘The Calais mint’, pp. 90–1; Munro, *Wool, Cloth and Gold*, p. 73; Lloyd, *The English Wool Trade*, pp. 248, 258–9; Woodhead, ‘Calais and its mint’, p. 189; Challis, *A New History*, pp. 708–9; Allen, ‘The output and profits’, pp. 134–5.

⁶⁰ *Rot. Parl.*, iv. 125–6; *Statutes of the Realm*, ii. 203; Ruding, *Annals of the Coinage*, i. 263; Munro, *Wool, Cloth and Gold*, p. 72; Lloyd, *The English Wool Trade*, p. 247.

⁶¹ *Rot. Parl.*, iv. 146; Ruding, *Annals of the Coinage*, i. 264; Deschamps de Pas, ‘Études sur les monnaies’, pp. 194–5; Walker, ‘The Calais mint’, p. 90; Power, ‘The wool trade’, p. 81; Munro, *Wool, Cloth and Gold*, p. 73; Lloyd, *The English Wool Trade*, p. 248; Woodhead, ‘Calais and its mint’, p. 189.

⁶² Power, ‘The wool trade’, pp. 81–2.

⁶³ *Rot. Parl.*, iv. 154; *Statutes of the Realm*, ii. 210; Walker, ‘The Calais mint’, p. 90; Lloyd, *The English Wool Trade*, pp. 248, 258–9; Allen, *Mints and Money*, pp. 271–2.

⁶⁴ P. Spufford, *Monetary Problems and Policies in the Burgundian Netherlands 1433–1496* (Leiden, 1970), p. 97; Munro, *Wool, Cloth and Gold*, pp. 73–4, 81–3; Lloyd, *The English Wool*

Much of England's export trade was conducted on credit and by sending money in bills of exchange, and this posed a constant threat to the viability of the Calais mint, the London mint and the city of London exchange. A statute of 1382 had prohibited the sending of money out of England by bills of exchange, except under licence, and another statute in 1390, re-enacted in 1401, stipulated that the full value of money sent abroad in exchange transactions and 50 per cent of the proceeds of sales by alien merchants in England should be spent or 'employed' on goods in England.⁶⁵ In 1402 this 'employment' law was extended to 100 per cent of sales values (after reasonable expenses), and merchants were given only three months to make necessary purchases.⁶⁶ In the parliament of 1404 Italian merchants petitioned unsuccessfully against the regulations, complaining that trade could not be conducted without exchange transactions between merchants.⁶⁷ In this parliament the employment law was actually extended, placing all foreign merchants with English hosts, who would supervise their compliance with the bullion regulations, and the Italians petitioned to be able to choose their own hosts, in vain.⁶⁸ The employment and hosting laws were reissued on many occasions until 1487.⁶⁹

In 1429 parliament passed the Partition and Bullion Ordinances, to regulate the wool trade of the Staple at Calais and protect the mint. The ordinances required payment of the full purchase price of wool in gold or silver as soon as a deal was made, with a proportion of the price to be delivered to the Calais mint. These regulations, which were originally intended to last only three years, were subsequently extended indefinitely, but they seriously damaged England's relations with Burgundy, which were of paramount importance to its foreign trade and to English interests in the closing stages of the Hundred Years War.⁷⁰ The ordinances threatened the

Trade, pp. 259–60; J. H. Munro, 'Bullion flows and monetary contraction in late-medieval England and the Low Countries', in *Precious Metals in the Later Medieval and Early Modern Worlds*, ed. J. F. Richards, (Durham, N.C., 1983), pp. 97–158, at pp. 116–17, 124; Allen, *Mints and Money*, p. 272.

⁶⁵ *Statutes of the Realm*, ii. 17–18, 96; ii. 122; *Rot. Parl.*, iii. 119–21, 278, 468; Ruding, *Annals of the Coinage*, i. 249–50; Munro, *Wool, Cloth and Gold*, p. 45; Munro, 'Bullionism and the bill of exchange', pp. 202–4; Allen, *Mints and Money*, p. 221.

⁶⁶ *Rot. Parl.*, iii. 509, no. 103; *Statutes of the Realm* ii. 142; *CCR 1399–1402*, p. 596; Ruding, *Annals of the Coinage*, i. 251.

⁶⁷ *Rot. Parl.*, iii. 553, nos 37–38; Ruding, *Annals of the Coinage*, i. 253.

⁶⁸ *Statutes of the Realm*, ii. 145–6; *Rot. Parl.*, iii. 553, no. 39; Ruding, *Annals of the Coinage*, i. 252–3.

⁶⁹ Munro, 'Bullionism and the bill of exchange', pp. 198–205, 228–30.

⁷⁰ *Rot. Parl.*, iv. 359, 454; *Statutes of the Realm*, ii. 254–5; Walker, 'The Calais mint', pp. 109–10; Power, 'The wool trade', pp. 82–3; Spufford, *Monetary Problems*, pp. 99–100; Munro, *Wool, Cloth and Gold*, pp. 84–6, 91–2, 99–100; Lloyd, *The English Wool Trade*, pp. 261–2;

viability of the mints of Philip the Good, the duke of Burgundy, resulting in a Burgundian ban on exports of bullion to Calais in 1433, and a ban on purchases of English cloth in 1434.⁷¹ In 1435 Anglo-Burgundian negotiations to modify the ordinances were unsuccessful, and in September of that year Duke Philip switched sides in the war from England to France, in the treaty of Arras.⁷² A Burgundian siege of Calais in 1436 and subsequent hostilities caused the closure of the mint in 1436–7, and the conclusion of a treaty between England and Burgundy in 1439 did not end the Burgundian ban on bullion exports to Calais.⁷³ In the parliament of January 1442 the merchants of the Staple attempted to resolve the situation by offering to take one third of the value of their wool in silver to the mint, in return for an abolition of the ordinances, but the implementation of this proposal was pre-empted by a mutiny of the Calais garrison in pursuit of arrears of wages, which forced a suspension of all requirements to take bullion to the mint in October 1442.⁷⁴ There was a short-lived revival in mint output at Calais, but the Burgundian ban on bullion exports remained, and the mint closed for good in about 1450.⁷⁵ The ordinances were reissued in 1454, and the formal end of the Burgundian ban on bullion exports was delayed until 1489.⁷⁶ In these circumstances a statute of 1463 requiring purchasers of wool to pay one half of the purchase price in English coins or in bullion taken to the Calais mint did not cause the mint to reopen.⁷⁷

Munro, 'Bullionism and the bill of exchange', pp. 195–6; Bolton, *Money in the Medieval English Economy*, p. 246.

⁷¹ Power, 'The wool trade', pp. 84–5; Spufford, *Monetary Problems*, p. 100; Munro, *Wool, Cloth and Gold*, pp. 86–8, 93, 98–9, 102–4, 106–10.

⁷² Power, 'The wool trade', p. 85; Munro, *Wool, Cloth and Gold*, pp. 110–12.

⁷³ Power, 'The wool trade', pp. 83–8; Spufford, *Monetary Problems*, pp. 101–4; Munro, *Wool, Cloth and Gold*, pp. 112–15, 117–120, 122; Lloyd, *The English Wool Trade*, pp. 263, 266, 268; Allen, 'The output and profits', pp. 136–8.

⁷⁴ *Rot. Parl.*, v. 64; *Statutes of the Realm*, ii. 324–5; *Proceedings and Ordinances of the Privy Council*, v. 216–17, 219–22; Power, 'The wool trade', pp. 88–9; Spufford, *Monetary Problems*, p. 104; Munro, *Wool, Cloth and Gold*, pp. 124–6; Lloyd, *The English Wool Trade*, pp. 268–9.

⁷⁵ *Rot. Parl.*, v. 275–7; Ruding, *Annals of the Coinage*, i. 277; Deschamps de Pas, 'Études sur les monnaies', p. 200; Power, 'The wool trade', p. 89; Spufford, *Monetary Problems*, pp. 104–5; Munro, *Wool, Cloth and Gold*, pp. 150–1; Lloyd, *The English Wool Trade*, pp. 268–9; P. Spufford, 'Calais and its mint: part one', in *Coinage in the Low Countries (880–1500). The Third Oxford Symposium on Coinage and Monetary History*, ed. N. J. Mayhew (British Archaeological Reports International Series, liv, Oxford, 1979), pp. 171–83, at pp. 177–8; Allen, 'The output and profits', pp. 136–8.

⁷⁶ *Rot. Parl.*, v. 256; Spufford, *Monetary Problems*, p. 106; Munro, *Wool, Cloth and Gold*, pp. 148–9; Lloyd, *The English Wool Trade*, p. 274.

⁷⁷ *Rot. Parl.*, v. 503–8; *Statutes of the Realm*, ii. 392–4; Deschamps de Pas, 'Études sur les monnaies', p. 201; Munro, *Wool, Cloth and Gold*, p. 159; Lloyd, *The English Wool Trade*, pp. 277–9; Munro, 'Bullionism and the bill of exchange', p. 205.

Medieval merchants and money

The English mints and exchanges could not have existed without the silver and gold of merchants. The wool trade and supplies of imported silver were of great importance to the production of the English coinage from the twelfth century and probably earlier, but the mints and exchanges were highly vulnerable to fluctuations in trade and European supplies of precious metals. Official attempts to regulate the activities of merchants in bringing bullion to the mints or taking it out of England might be limited in success or actively counterproductive.

II. The prosecution of counterfeiting in Lancastrian England

Hannes Kleineke

It is to St. Paul that we owe the perspicacious observation that ‘The love of money is the root of all evil’ (1 Timothy 6:10). The apostle was, of course, not unique among his contemporaries in noticing this. Seneca’s comparable remark, ‘*Quod non mortalia pectora coges, auri sacra fames!*’, merely paraphrased a similar statement in Vergil’s Aeneid (Aeneid, 3.57). As modern economic historians, Jim Bolton prominent among them, have demonstrated, fifteenth-century Englishmen might experience temporary embarrassments for ready cash, above all for the smaller denominations required as change, but they were inventive in finding alternative ways within the parameters of the acceptable of keeping the wheels of commerce turning. There were, however, also those who thought they did not have enough money, and sought to remedy this state of affairs by the illicit creation of the officially authorized means of payment. That narrative, the story of counterfeiting and official efforts to combat it, is in itself extensive, and a full account of it lies beyond the scope of this essay. The present discussion is thus concerned with a particular aspect of the topic, the prosecution of those who produced and circulated counterfeit currency in the fifteenth century, viewed through the prism of the official record of the English crown.¹

I

The English kings of the high middle ages set great store by the trustworthiness of their coinage, and any threats to it, whether from officialdom or private individuals, were fiercely punished. From the tenth century, the law codes of the Anglo-Saxon kings prescribed the amputation of a hand as the penalty for offences such as the issue of underweight or base metal coins, the clipping of coins, or the manufacture of false dies. During the assize of 1124–5 Henry I (who had made even the possession

¹ The subject of counterfeiting has naturally found its place in the extant literature on the English currency in the medieval and early modern periods. A starting point is provided by M. Allen, *Mints and Money in Medieval England* (Cambridge, 2012), pp. 368–76 and C. E. Challis, *The Tudor Coinage* (Manchester, 1978), pp. 275–94, and the literature cited there.

of false coins a punishable offence) had many of the moneyers in his realm punished for fraud by mutilation (that is, castration and the loss of a hand), an operation that, according to the *Anglo-Saxon Chronicle* continued for a full twelve days. Five years later though, six 'false minters' and forgers were allowed to atone for their offences with cash fines of between £3 and £20.² In the thirteenth century the standard punishment for counterfeiting was death by hanging, and in 1352 the offence was formally classified by statute as High Treason. From the 1270s, the capital penalty had also become increasingly common for the related crime of coin clipping, which – along with the related offences of washing or filing of coins – was also brought within the purview of the statute of treasons in 1416.³

In archival terms, the classification of counterfeiting as a form of treason is useful to the modern student, for it meant that the offence fell into the remit of the court of king's bench, and it is among this court's records that the majority of the surviving cases are found. Accusations of counterfeiting normally came before the king's bench by one of two routes. In the first place, they could be arrested on suspicion of wrongdoing by a local official,⁴ or brought to the attention of the authorities by a presenting jury in a local court, often before the justices of the peace, and then be referred to the king's bench for termination. Where a putative offender had been arrested on mere suspicion, a trial normally took place in the locality before the justices of gaol delivery. For the county of Middlesex such trials took place before the king's bench which here acted as court of first instance. More important in bringing real or suspected counterfeiters before the courts, however, were the appeals of offenders turned approver, that is, king's evidence. These individuals, inevitably on trial for their lives for felony or treason, confessed to their own crimes, and earned a reprieve by accusing as many as possible of their putative accomplices.

The general problems presented by medieval legal records are well known and have been rehearsed in some detail by a succession of scholars. For

² Allen, *Mints and Money*, pp. 368–70; S. L. Mooers, 'A reevaluation of royal justice under Henry I of England', *American Historical Review*, xciii (1988), 340–58, at p. 348.

³ Allen, *Mints and Money*, pp. 373–5; D. C. Skemer, 'King Edward I's Articles of Inquest on the Jews and coin-clipping, 1279', *Historical Research*, lxxii (1999), 1–26; E. Powell, *Kingship, Law and Society* (Oxford, 1989), p. 259.

⁴ E.g. TNA: PRO, KB 27/668, rex rot. 11; KB 9/300/21. The evidence of even a small number of forged coins found on an individual could be deemed damning: in Sept. 1422 Richard Walcotes *alias* Webster, a labourer of Ripon, was arrested on suspicion of counterfeiting by virtue of 16 forged pennies found on his person. He was hanged for the offence three years later (TNA: PRO, JUST 3/199, rot. 3). By contrast, the Gloucester clerk John Bacon taken at Southampton in about 1422 because he was found to be in possession of 'false metal', was acquitted (TNA: PRO, JUST 3/202, rot. 1d).

the purposes of this chapter, it is worth emphasizing two specific factors that have a direct bearing on its theme. The first is a point relevant to legal records more generally: the picture that they provide is incomplete. We hear of those counterfeiters who were apprehended by the authorities; those who evaded detection or capture remain invisible. Moreover, there were the prosecutions before local courts that never found their way into the king's bench, and of which no record survives. We may catch occasional tantalising glimpses of such cases through resultant pardons, related instructions to local officials or passing references in other documents. How much remains hidden is impossible to quantify. The cases of counterfeiting that came before the courts may represent a good proportion, perhaps even a majority of what really went on; on the other hand, they may just be the tip of an otherwise unfathomable iceberg.

The second point relates specifically to the approver's appeal. This was by its very nature prone to elicit spurious accusations.⁵ The approver's life, and possible pardon, depended on his ability to conjure up credible accusations against a substantial number of individuals.⁶ Small wonder that, as Powell has observed, approvers tended to reflect closely the concerns of the government of the day.⁷ Thus, in the second half of Henry V's reign charges of counterfeiting were a common feature of approvers' appeals; around 1450, as Isobel Harvey has shown, when Henry VI and his ministers suffered a crisis of popularity, stories of seditious talk about the king and the duke of Suffolk prevailed in the accounts given by approvers.⁸ Contemporaries were fully aware of the ways in which the approver's appeal might be abused: at some point around 1440 the Wells attorney John Rewe, himself suspected of the distribution of counterfeit money, was said to have offered a bribe of 100s to one Michael Spencer, an approver, if he would agree to accuse several men of complicity with the executed counterfeiter William Benet.⁹ Equally,

⁵ F. C. Hamil, 'The king's approvers: a chapter in the history of English criminal law', *Speculum*, xi (1936), 238–58; M. Aston, 'A Kent approver of 1440', *Bulletin of the Institute of Historical Research*, xxxvi (1963), 82–90; J. Röhrkasten, 'Some problems of the evidence of fourteenth-century approvers', *Journal of Legal History*, v (1984), 14–22; J. B. Post, 'The evidential value of approvers' appeals: the case of William Rose, 1389', *Law and History Review*, iii (1985), 91–100; A. J. Musson, 'Turning king's evidence: the prosecution of crime in late medieval England', *Oxford Journal of Legal Studies*, xix (1999), 467–80.

⁶ See, for instance, the appeal of John Peyntour of Fenny Stratford, Bucks. (*CPR 1429–36*, pp. 592–4).

⁷ Powell, *Kingship, Law and Society*, pp. 259–61.

⁸ I. M. W. Harvey, *Jack Cadé's Rebellion of 1450* (Oxford, 1991), pp. 31–2.

⁹ TNA: PRO, C 1/11/31, 45/31. Spencer (otherwise known as Thomas Spencer, Michael Thomas or Michael Fuller, and variously said to hail from Burgh in Lancashire, Knolle in Warwickshire, Beaulieu in Hampshire or Hempton in Norfolk) was indicted of an act of

in the period of the most intense official paranoia over possible tamperings with the currency between 1415 and 1427 accusations of counterfeiting and coin clipping could round off already lengthy litanies of wrongdoing, as was the case, for instance, with Adam Vivian, a Cornish gentleman whose impressive catalogue of supposed offences hardly needed embellishing,¹⁰ or could be used to damage an opponent of superior standing, as was the case with the Shropshire knight Sir Richard Lacon, who was implicated in the colourful tale of an approver in about 1423.¹¹

Undeniably, then, there are considerable difficulties inherent in the use of legal records as a source of the history of counterfeiting, but with due care some interesting facts may be teased out.¹²

II

Since, as suggested above, the legal records do not readily lend themselves to a quantitative analysis of the incidence of the crime of counterfeiting, a qualitative approach seems more promising. An individual case study can here illustrate the nature of the information about the offence available in the court records, as well as the proceedings against the offender. The case in question has been chosen on account of the particularly full source material available (including, unusually, a recorded court verdict), but it is otherwise representative of what is recorded of other contemporary counterfeiters elsewhere in England.¹³

counterfeiting at the Marshalsea gaol delivery in May 1432 and turned approver (TNA: PRO, KB 27/684, rex rot. 9; KB 27/685, rex rot. 4; KB 27/711, rex rot. 3). For William Benet, a brewer from Taunton, hanged in Oct. 1423, see KB 27/650, rex rots. 24–24d; JUST 3/202, rot. 7.

¹⁰ TNA: PRO, KB 27/646, rex rot. 14. For Vivian, see *The History of Parliament: the Commons 1386–1421*, ed. J. S. Roskell, L. Clark and C. Rawcliffe (4 vols., Woodbridge, 1992), iv. 720–1; H. Kleineke, 'Poachers and gamekeepers: four fifteenth-century West Country criminals', in *Outlaws in Medieval and Early Modern England: Crime, Government and Society, c.1066–c.1600*, ed. J. C. Appleby and P. Dalton (Farnham, 2009), pp. 129–47, at pp. 133–4.

¹¹ TNA: PRO, KB 27/650, rex rot. 23d; Powell, *Kingship, Law and Society*, p. 261. For the view that the accusations against Lacon were spurious, see S. J. Payling, 'Sir Richard Lacon', in *The History of Parliament: the Commons 1422–61*, ed. L. Clark (forthcoming). I am grateful to Dr. Payling and to the trustees of the History of Parliament for permission to draw upon this unpublished work. The counterfeiting charges against Lacon were discussed in detail by Ted Powell in a hitherto unpublished paper delivered at the annual Fifteenth Century Conference at the University of Keele in 2003.

¹² For an examination of judicial records relating to counterfeiting at the French royal mint, see P. P. Cockshaw, 'Judicial documents relating to coin forgery (late fourteenth to early fifteenth centuries)', in *Studies in Numismatic Method presented to Philip Grierson*, ed. C. N. L. Brooke, B. H. I. H. Stewart, J. G. Pollard and T. R. Volk (Cambridge, 1983), pp. 231–8.

¹³ The crime of counterfeiting was not restricted to any particular geographical region, although – for obvious reasons – forged coins were frequently said to have been brought into circulation in urban markets.

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On 23 March 1422 Richard Swalwe, a goldsmith from Great Torrington in Devon, gaoled in Exeter castle on various charges of felony and treason, turned approver. In a drawn-out interview with John Adam, one of the county coroners, he incriminated a string of real or supposed accomplices, and in the process painted a vivid picture of a network of fake coin production spread across the south-west of England. In chronological order, the tales he told ran like this:

On 4 May 1411 Swalwe and Thomas Knyght, a tanner of Great Torrington, in Richard's house at Torrington counterfeited sixty nobles, sixty half nobles and sixty quarter nobles of gilt silver, which Thomas afterwards distributed.¹⁴ On 21 April 1414 Swalwe and William Forde, a drover from East Putford, melted 16 oz. of gold clipped by them from good nobles, and made thereof 100 false nobles, which Forde then brought into circulation.¹⁵ On 30 April 1414 Richard Bat, mercer of Exebridge, knowing that Swalwe was a counterfeiter, received from him false nobles of gilt silver for distribution.¹⁶ On 25 June 1416 Swalwe and Nicholas Cardmaker of Bridgwater in Somerset in a cellar at Bridgwater melted 5 oz. of gold clipped by them from good nobles and counterfeited twenty-five false nobles.¹⁷ On 25 September 1417 Richard Berton, merchant of Bideford, brought twenty-four good nobles to Swalwe's house at Torrington, which they melted; they used the metal to counterfeit thirty-four nobles of lighter weight, which Berton then distributed.¹⁸ On 20 December 1417 Swalwe and the mercer John Cobbe in Cobbe's house at Bodmin melted 12 oz. of gold clippings and made thereof sixty false nobles.¹⁹ On 7 May 1418 at Torrington Swalwe and Nicholas Sele, a Cornish drover, melted three good nobles and used the metal to make four false nobles.²⁰ On 25 June 1418 he and Alexander Hawkyn *alias* Notecomb, roper of Cleyhanger, in Richard's house at Torrington melted 4 oz. of gold clipped from good nobles and counterfeited twenty false nobles.²¹ On 17 April 1419 at Great Torrington Walter Arnall, drover of Hunshawe, and others, also knowing Swalwe to be a counterfeiter, received thirty false nobles of gilt silver from him for distribution.²² On 5 June 1419 Swalwe and John Umfray, a merchant from Bristol, in Swalwe's

¹⁴ TNA: PRO, KB 27/648, rex rot. 19.

¹⁵ TNA: PRO, KB 27/648, rex rot. 13d.

¹⁶ TNA: PRO, KB 27/648, rex rot. 18.

¹⁷ TNA: PRO, KB 27/648, rex rot. 19d.

¹⁸ TNA: PRO, KB 27/648, rex rot. 19d.

¹⁹ TNA: PRO, KB 27/649, rex rot. 8.

²⁰ TNA: PRO, KB 27/649, rex rot. 3.

²¹ TNA: PRO, KB 27/648, rex rot. 19.

²² TNA: PRO, KB 27/648, rex rot. 18d.

house at Torrington counterfeited eight nobles and two quarter nobles of gilt silver, which Umfray then disposed of.²³ On 30 June 1420 Swalwe and William Benet, a brewer from Taunton, forged two nobles of copper and other mixed metals, which the goldsmith's wife, Florence, then exchanged.²⁴ On 18 October 1421 at Bampton Richard atte Wylle, souter of Bradninch, sold to Swalwe an ounce of gold and an ounce of silver clipped by him from various coins.²⁵

Other individuals had supposedly been complicit in multiple offences: John Chywarton, a Cornish chaplain from the parish of St. Stephen, had been involved in the making and distribution of 20 marks (£13 6s 8d) of false nobles, 104 false groats, 420 false half groats and 320 false pennies of copper and other mixed metals in May 1407,²⁶ and of thirty underweight nobles in July 1414.²⁷ Similarly, John Person, a merchant from Bradford in Somerset, was supposed to have been associated with Swalwe in January 1414 and June 1416 in the melting of some 120 oz. of clipped gold and the making of 600 nobles of inferior weight.²⁸ It is uncertain whether one or several men called John Mayer were complicit in three further acts of coin clipping and counterfeiting in 1419 and 1420 which between them produced almost £90 in false nobles.²⁹

Following Swalwe's appeal, the matter was called into king's bench for final trial in Easter term 1423. On 10 May Swalwe and the drover William Forde were brought into court. Swalwe insisted on the truth of his appeal, but Forde would have none of it, and asked for trial by combat. The following Saturday, both men, armed for their duel, were brought into the customary location at Tothill, but faced with his heavily armed opponent Swalwe now suffered a change of heart, and refused to fight.³⁰ The ordeal abandoned, the prisoners were returned to Westminster Hall, where Forde was acquitted, while Swalwe was taken to the Tower, drawn through the city to Tyburn and hanged.³¹ This, as the authorities rapidly discovered, was

²³ TNA: PRO, KB 27/648, rex rot. 15d.

²⁴ TNA: PRO, JUST 3/202, rot. 7.

²⁵ TNA: PRO, KB 27/648, rex rot. 18.

²⁶ TNA: PRO, KB 27/648, rex rot. 20.

²⁷ TNA: PRO, KB 27/648, rex rot. 20.

²⁸ TNA: PRO, KB 27/648, rex rot. 20d.

²⁹ TNA: PRO, KB 27/648, rex rot. 18d.

³⁰ On the practices and legal background of trial by combat, see M. J. Russell, 'Trial by battle and the writ of right', *Journal of Legal History*, i (1980), 111–34; Russell, 'Trial by battle and the appeals of felony', *Journal of Legal History*, i (1980), 135–64; Russell, 'The champion's master in the trial by battle', *Journal of Legal History*, v (1984), 76–8; Russell, 'Trial by battle in the court of chivalry', *Journal of Legal History*, xxix (2008), 335–57.

³¹ TNA: PRO, KB 27/648, rex rot. 13d.

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a bad idea. On the Saturday after Swalwe's execution no fewer than six of his purported accomplices (Bat, atte Wylle, Mayer, Knyght, Hawkyn and Berton) appeared before the justices of king's bench, and uniformly pleaded not guilty on the grounds that their accuser was dead. They were not let off immediately; the vagaries of the legal system saw to that. Nevertheless, on 9 August a jury at the Exeter assizes did finally acquit them.³²

III

In common with other, similar cases, that of Richard Swalwe has a number of features of interest. In the first instance, it tells us something about the process of counterfeiting. Since the accusations made by an approver had to ring true with the prosecuting authorities, we may assume that the details of the goldsmith's narrative corresponded to what the king's courts knew or believed to be true of the offence. There were three principal crimes, or groups of crimes, involved. First of all, there was the procurement of the raw material, that is, the precious metal. This was almost invariably sourced through the clipping, washing or filing of genuine coins. Next, came the task of turning the metal so gained, usually in conjunction with other, base, metals, into new, substandard coins. Finally, these counterfeit coins had to be brought into circulation, gaining genuine full-weight coins or goods in exchange. Clearly, of these three groups of activities, two, the clipping and the knowing circulation of the counterfeit coins, required little by way of skill, beyond, perhaps, a measure of self-assurance, and could be (and was) undertaken by a broad spectrum of individuals.³³ Not surprisingly, charges of coin clipping and of circulating forged coins were common, and the authorities had some justification for their concern. Indictments of coin clippers suggest that as much as a quarter or even a third or more could be trimmed off by the criminals.³⁴

By contrast, the actual manufacture of the counterfeit coins was a rather more skilled task. Dies or moulds needed to be cut, base-metal cores coated in gold or silver, and complex alloys concocted. Above all, the coins needed to be given an appearance both visually and in terms of their weight, that might lure an unsuspecting recipient into accepting them as genuine. Small wonder then that the principal counterfeiters

³² TNA: PRO, KB 27/648, rex rots. 18, 18d, 19, 19d.

³³ Challis, *Tudor Coinage*, pp. 275–6.

³⁴ In 1435 the chaplain Robert Wannesford of Mortlake was said to have clipped 240 groats by a total value of 30s, and a further 60 groats by a value of 60d, while in 1415 a different chaplain had supposedly clipped six silver pennies by 2d (TNA: PRO, KB 27/698, rex rots. 4, 4d). That these allegations were not exaggerated is confirmed by archaeological evidence (albeit dating from the 16th century (Challis, *Tudor Coinage*, p. 277)).

who came before the king's justices were drawn from a narrow group of skilled artisans used to working precious metals: goldsmiths,³⁵ goldwire drawers, collar-makers,³⁶ and more rarely other metal- or wood-workers, such as tinkers, cutlers, smiths or turners.³⁷ These craftsmen in many instances already possessed the required tools, the crucibles and furnaces, but also the more specialized instruments that often baffled the law courts – in 1416 the Yorkshire goldsmith John Geffrey was said to have manufactured an 'instrument' with which he had struck false pennies;³⁸ in May 1418 the justices of king's bench were ordered to sell all instruments of counterfeiting that had come to their hands for the king's profit;³⁹ in 1419 the king's justices of inquiry at Richmond castle were told of various stamps (*printas*) that had been used by local counterfeiters;⁴⁰ and in 1435 the Wiltshire bench heard of 'certain instruments' with which the goldsmith Thomas Bowyer had struck counterfeit coins.⁴¹ They also possessed the required knowledge to make up the often complex alloys of which the counterfeit coins were made up, combining silver and gold with base metals including copper,⁴² iron,⁴³ tin,⁴⁴ lead,⁴⁵ and mercury (*vivum argentum*),⁴⁶ compounds like latten,⁴⁷ pewter,⁴⁸ and alcamyn metal,⁴⁹ and dross.⁵⁰ These skilled craftsmen, for whom – in Powell's words – counterfeiting represented a 'profitable sideline',⁵¹ were at the heart of networks of individuals, both men and women, of a wide range of trades and occupations who performed the lesser functions of finding the raw materials and distributing the finished counterfeit coins.

³⁵ TNA: PRO, KB 27/668, rex rot. 17.

³⁶ TNA: PRO, KB 27/668, rex rot. 11.

³⁷ TNA: PRO, JUST 3/199, rot. 27d; TNA: PRO, KB 9/236/50; KB 9/303/42; KB 27/677, rex rot. 3; KB 27/722, rex rot 34; KB 27/752, rex rot. 6.

³⁸ TNA: PRO, KB 9/206/2/1.

³⁹ TNA: PRO, KB 145/5/6 (no internal foliation).

⁴⁰ TNA: PRO, KB 27/722, rex rot. 34.

⁴¹ TNA: PRO, KB 27/698, rex rot. 4.

⁴² TNA: PRO, KB 27/649, rex rot. 27; KB 27/684, rex rot. 9; KB 27/722, rex rot. 34; KB 27/752, rex rot. 6; JUST 3/199, rot. 14, 33d; JUST 3/202, rot. 7.

⁴³ TNA: PRO, KB 9/206/2/1; KB 9/207/2/6; KB 9/303/42; JUST 3/199, rots. 14, 33, 33d.

⁴⁴ TNA: PRO, KB 27/684, rex rot. 9; JUST 3/199, rot. 15d, 33d; KB 9/252/2/40; KB 9/207/2/6.

⁴⁵ TNA: PRO, JUST 3/199, rots. 14, 33, 33d.

⁴⁶ TNA: PRO, KB 9/252/2/22.

⁴⁷ TNA: PRO, KB 27/752, rex rot. 6; JUST 3/199, rot. 33d.

⁴⁸ TNA: PRO, KB 9/252/2/40.

⁴⁹ TNA: PRO, KB 27/670, rex rot. 10; KB 27/752, rex rot. 6; KB 9/252/2/40.

⁵⁰ TNA: PRO, JUST 3/199, rots. 33, 33d.

⁵¹ Powell, *Kingship, Law and Society*, p. 259.

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Secondly, there is the sheer scale of the activity going on. While it is clear that Swalwe could not possibly have remembered the exact details of the coins he had produced on any given day over a period of fifteen years, his figures may at least represent ball-park figures for his actual output. According to his own claims, during the years from 1407 to 1421 he had manufactured, or assisted in the manufacture, of some 1,399 gold and 844 silver coins, of a face value of £444 3s (mostly accounted for by the gold). In terms of his output, this did not even place him in the front rank of forgers: others were purportedly even more productive. In 1427 a presenting jury claimed that the Westminster goldsmith John Halle had in a single year counterfeited 200 groats, 300 half groats and 1,000 pennies of alkamyn pewter and other false metals, a nominal sum of £10;⁵² and in January 1449 the Bodmin cutler John Crockyer was said, two years earlier, to have manufactured 800 nobles and 100 half-nobles of copper, latten and other false metals mixed with gold and gilt, as well as 300 groats, 200 half groats, 1,000 pence and 1,000 half-pence of alkamyn pewter and other false metals, that is some 900 gold and 2,500 silver coins, of a nominal value of almost £300 (£12 18s 4d in silver and £283 6s 8d in gold).⁵³ That these figures may not have been exaggerated is demonstrated by a hoard of some 500 forged silver pence of fifteenth-century date found at Queenhithe dock in London in 1980, which are thought to have been thrown into the Thames to hide incriminating evidence.⁵⁴

A third point of interest concerns the nature of the counterfeit coins. Again, there were two distinct offences involved (albeit not distinguished in the eye of the law): on the one hand, there was the manufacture and circulation of substandard coin, containing an inferior amount of precious metal; on the other, there was the use (or rather abuse) of bullion clipped from genuine coins to make false coins of full metal value. Until the recoinage of 1411–12, the English mint had produced forty-five nobles from every Tower pound of gold, that is 3.75 nobles per ounce. From 1411–12 the gold weight of each coin was reduced; there were now fifty nobles to the pound, or 4.17 nobles to the ounce. Swalwe, by contrast, more often than not, made five false nobles from every ounce of clipped gold. At this ratio, his coins were underweight in terms of their bullion content by approximately 16.6 per cent, that is, they contained 5.8319 grams of gold, as opposed to the 6.998 grams they should have contained after the recoinage of 1411–12.⁵⁵

⁵² TNA: PRO, KB 27/670, rex rot. 10.

⁵³ TNA: PRO, KB 27/752, rex rot. 6.

⁵⁴ Allen, *Mints and Money*, p. 376; M. M. Archibald with M. R. Cowell, 'The Queenhithe Hoard of late-fifteenth-century forgeries', *Journal of the British Numismatic Society*, i (1980), 61–6.

⁵⁵ J. H. Munro, 'The maze of medieval monetary metrology: determining mint weights in Flanders, France and England from the economics of counterfeiting, 1388–1469', *Journal of European Economic History*, xxix (2000), 173–99, at p. 193.

The nature of the coins produced by Swalwe and his counterparts elsewhere was determined by a further consideration beyond the availability of bullion and other components and the technical abilities of the forger: the place of counterfeit coins in the fifteenth-century English currency. To suppose a straightforward dichotomy of genuine and false coins is too simplistic.⁵⁶ Whether a coin was acceptable as a means of payment for goods or services depended no more on its legal validity in the fifteenth century, than it does in the twenty-first. At the time of writing, the sterling banknotes issued by the Royal Bank of Scotland, rather than the Bank of England, are legal currency south of the border, yet they are reluctantly accepted, if at all. The same applies to the Royal Mint's commemorative British £5 coins, which will be refused, despite being legal tender,⁵⁷ by traders who will cheerfully accept coins from Gibraltar or the Channel Islands, which are not. The merchant's reaction to the proffered means of payment is intuitive, rather than being informed by considerations of legality. What is at issue is not the legal validity of the means of payment, but whether it looks or feels 'right'.

This consideration was central to the work of the medieval counterfeiter. Whereas a genuine but worn coin might be regarded with suspicion, an expertly manufactured, but in terms of its bullion content substandard, counterfeit coin might be readily accepted by a trader.⁵⁸ Nor, as John Munro has argued, was it possible for a late medieval trader to test each of even the gold coins proffered: to do so would have increased the cost of every individual transaction, without – in view of the inherent variations within a manually struck coinage – guaranteeing the genuineness and full weight (or otherwise) of the coin in question.⁵⁹ That this was so, is one clear

⁵⁶ A useful discussion of the multi-dimensionality of the question of counterfeiting, albeit for a later period, is found in L. Desmedt and J. Blanc, 'Counteracting counterfeiting? Bodin, Mariana, and Locke on false money as a multidimensional issue', *History of Political Economy*, xlii (2010), 323–60.

⁵⁷ <<http://www.royalmint.com/aboutus/policies-and-guidelines/legal-tender-guidelines>> [accessed 14 May 2015].

⁵⁸ In the early modern period, it was not unknown for a counterfeiter to clip the coins he had himself manufactured prior to circulation, to make them seem more authentic by virtue of their artificial 'wear and tear' (M. Gaskill, *Crime and Mentalities in Early Modern England* (Cambridge, 2000), p. 132).

⁵⁹ Munro, 'Maze of medieval monetary metrology', p. 187; P. Grierson, *Numismatics* (Oxford, 1975), pp. 100–11, 150–5. It is interesting to find among a set of school exercises from the Exeter region dating from around 1450 one that complained of the scarcity of money changers or assayers: 'Ego habeo vnum nobile minus competentis ponderis per quinge grossos quod libenter cambirem pro sex solidis et octo denarijs si possem adquirere mihi aliquem numularium [...] vel campsozem, qui rari in hac patria dinoscuntur', *English School Exercises, 1420–1530*, ed. N. Orme (Toronto, 2013), p. 160.

implication of the sheer volume of counterfeiting offences prosecuted in the early fifteenth century. It was evidently possible to circulate counterfeit coins with only an acceptable risk of detection in proportion to the profit to be made.

Moreover, in a period of profound shortages of small change, means of payment other than the king's genuine full-weight coinage were openly used and widely, if sometimes grudgingly, accepted. In spite of repeated complaints in parliament and official attempts to outlaw the practice, Scottish half-pennies and Venetian *soldini*, known popularly as 'galley-halfpence', were apparently in common use in England in the reigns of Henry IV and Henry V. It is instructive to learn from the proceedings at Coventry in 1415 against a group of counterfeiter that – various denominations of English coins aside – they were believed to have forged £20 worth of 'galley-halfpence': counterfeit versions of a coin that should not have circulated in the first place, but that in view of the shortage of change was likely to be accepted without overdue scrutiny.⁶⁰

This was clearly a more important consideration in the counterfeiter's work than might at first appear. Beyond reasonable doubt, the counterfeiter's principal motivation was the profit he could make from his illicit activities. What was this profit? As we have seen, Richard Swalwe's gold nobles were underweight by a mere 16.6 per cent – hardly a return that would seem to warrant the dangers of committing a capital crime. What made counterfeiting profitable was the limited investment in raw materials required: bullion clipped from coins subsequently recirculated at face value came cheap (or, if the counterfeiter were himself the clipper, free), and the professional metal worker could be expected to light his furnaces in the process of his normal work, with only a small outlay for additional fuel required. In other words, the counterfeiter's profit was potentially equal to the full face value of the coins he had produced, less only whatever he had paid for the raw materials and the notional value of his labour. As it was a peculiar characteristic of the late medieval English coinage that all denominations were struck of identical fineness, Philip Grierson's observation that 'twelve times as much labour was involved in making twelve pennies as in making one shilling' thus certainly rings true for the work of the late medieval counterfeiter.⁶¹ If, however, the amount of labour involved in forging a lesser coin was equal to that needed for a more valuable one, it is clear that the decision

⁶⁰ TNA: PRO, KB 9/207/2/5–6; CPR 1413–16, p. 266; Allen, *Mints and Money*, pp. 362–3; *PROME*, viii. 187. The use of *soldini* was banned by proclamation in the same year (Allen, *Mints and Money*, p. 364).

⁶¹ P. Grierson, 'Medieval numismatics', in *Medieval Studies: an Introduction*, ed. J. Powell (Syracuse, 1976), pp. 103–36, at p. 113.

to forge anything but the most high value denominations must have been informed by a consideration of several subsidiary factors: the availability of raw materials, the forger's own skill in, say, the gilding of base metal coins, and – surely above all – the ease with which the counterfeit coins could be brought into circulation.

IV

How effective, then, were official efforts to police the manufacture of fake coins? Anecdotal though the available evidence is, the answer has probably got to be: not very. Archaeological finds suggest that counterfeiting activity continued throughout the fifteenth century, and this evidence is lent support by the report of the deputy masters of the mint at the time of the introduction of a new coinage in 1526 on the wide variety of counterfeits surrendered for recoinage.⁶² The case study of Richard Swalwe suggests why this might have been so. Unquestionably, it was the law itself that was at fault. It would be hard not to be struck by the sheer inefficiency of a system that was fuelled by governmental neurosis and contrived to hit one offender with a sledgehammer only to lose in the process all possibility of successfully prosecuting his presumed accomplices, were this not so common a feature of the medieval legal process. Moreover, it seems that systemic difficulties were compounded by the inconsistency of the English crown and its officers in their approach to the fight against counterfeiting.

To judge by the number of dedicated commissions appointed to enquire specifically into acts of counterfeiting and to arrest and punish offenders, the fight against forged coins was an important concern under both Edward III and Richard II.⁶³ The battle was resumed around the time of Henry V's invasion of France, and the concerted campaign against counterfeiters reached a climax in the second half of Henry V's reign and the first years of that of Henry VI. As Powell has demonstrated, the hunt for counterfeiters in the years after about 1415 has to be seen as much against the backdrop of the renewal of the French wars by Henry V, as in the wider context of a preoccupation of the government with acts of treason, which in the second half of the reign changed its focus from the Lollard traitors hunted out in the aftermath of Oldcastle's rebellion to those falsifying or diminishing the currency. Nevertheless, even allowing for reservations over the reliability of the tales told by approvers, the administration's more pragmatic measures which culminated in a general recoinage of gold in 1421–2 indicate that the

⁶² Challis, *Tudor Coinage*, p. 290.

⁶³ It is intriguing to find two Welsh counterfeiters pardoned in Feb. 1394 explicitly at the supplication of the earl of Derby, soon to become Henry IV (*CPR 1391–6*, p. 372).

king's ministers were not merely chasing after phantoms.⁶⁴ After about 1430 legal proceedings against individual coiners became more incidental. There were no longer any clusters of prosecutions comparable to those of the period from 1417 to 1427. If in 1423 there had been more than twenty-four individual prosecutions for offences relating to counterfeiting before the king's bench in a single year, in 1440 there was just one such case.⁶⁵ There are also other signs that as the 1440s progressed Henry VI's increasingly beleaguered administration was prepared to sacrifice the longer-term trustworthiness of the currency to a short-term remedy for an immediate crisis. In 1445–7 the crown uniquely sought to resolve the chronic shortage of small change by a temporary debasement of the half-penny and farthing – a form of what the twenty-first century has come to know euphemistically as 'quantitative easing' – to the longer-term detriment of the currency.⁶⁶

It is not without hesitation that one ascribes to Henry VI and his ministers any form of considered policy: too familiar are the repeated changes of direction, the administrative blunders like the granting of near-identical offices to multiple individuals, and the, to the modern eye at least, desperate recourse to hopeless remedies for the administration's permanent financial crisis, like the use of alchemists and necromancers alongside trained mining experts in the quest for new supplies of precious metals.⁶⁷ Nevertheless, it is tempting to speculate that there was something deliberate in the termination of the at one time vigorous campaign against counterfeiters. This was not the sort of policy that would be discussed in parliament or publicized by proclamation. If it was mooted in council, it was not

⁶⁴ For royal commissions specifically directed at counterfeiters, see *CPR 1399–1401*, p. 554; *CPR 1401–5*, pp. 64, 279; *CPR 1416–22*, pp. 80, 81, 86, 146.

⁶⁵ Under Edward IV, isolated commissions against counterfeiters were directed at remote parts of the realm, the far north and the outskirts of Wales.

⁶⁶ J. H. Munro, 'Deflation and the petty coinage problem in the late medieval economy: the case of Flanders, 1334–1484', *Explorations in Economic History*, xxv (1988), 387–423, p. 409; J. H. Munro, *Wool, Cloth and Gold: the Struggle for Bullion in Anglo-Burgundian Trade, 1340–1478* (Toronto, 1972), pp. 130–1; P. Spufford, *Monetary Problems and Policies in the Burgundian Netherlands, 1433–1496* (Leiden, 1970), pp. 31–7; H. Enno Van Gelder and M. Hoc, *Les Monnaies des Pays Bas Bourguignonnes et Espagnols, 1434–1713: Répertoire Général* (Amsterdam, 1960), pp. 12–16. Elsewhere, John Munro has emphasized the extraordinary nature of a debasement as a means of combatting a shortage of coins (J. H. Munro, 'Warfare, liquidity crises and coinage debasements in Burgundian Flanders, 1384–1482: monetary or fiscal remedies?', University of Toronto, Department of Economics, Working Paper 355 <<http://www.economics.utoronto.ca/public/workingPapers/tecipa-355.pdf>> [accessed 6 May 2015]).

⁶⁷ For the Lancastrian administration's efforts to intensive gold and silver mining as well as its dalliances with alchemical attempts at bullion production, see R. A. Griffiths, *The Reign of King Henry VI* (1981), pp. 384–5.

recorded in the common form of a document signed by all the councillors present. Nevertheless, even when counterfeiters were still prosecuted, they had by 1437 acquired a further loophole through which to escape. In 1414 counterfeiting had still been one of the crimes explicitly exempted from the scope of the general pardons that the crown made available for purchase in regular intervals. By the end of Henry VI's minority, this exemption had been tacitly dropped.⁶⁸ It may thus not be a complete flight of fancy to suggest that the same ministers and councillors who were prepared to countenance the employment of alchemists to manufacture gold, were also ready to turn a blind eye to the efforts of counterfeiters who illicitly increased the supply of ready currency in circulation.

⁶⁸ S. Jenks, 'Exceptions in general pardons, 1399–1450', *The Fifteenth Century XIII. Exploring the Evidence: Commemoration, Administration and the Economy*, ed. L. Clark (Woodbridge, 2014), pp. 153–81, at pp. 164, 166, 170.

V. Markets, credit and the rural economy

12. The economic impact of clothmaking on rural society, 1300–1550

John Oldland

Employment in clothmaking, and its economic value, impact and importance has been significantly underestimated by those historians who have briefly considered it.¹ Demand for woollen cloth rose after 1400 as domestic consumption grew; and dramatically increased after the mid fifteenth-century recession as both domestic demand and exports rapidly expanded.² After 1475 clothmaking had a significant impact on the economy, and especially rural household incomes in southern England. Rural clothiers became so efficient that nearly all production, except for some of the finest cloth, and some finishing, moved away from larger towns. Production of quality broadcloth came to be concentrated in southern England, cheaper narrow cloth pushed to the far west and north where costs were lower, and almost all cloth was exported through London. This chapter will suggest that there were perhaps 264,000 people making woollen cloth by the mid sixteenth century, or about 18 per cent of the adult population in 1540; and secondly that the amount of cloth produced in 1540 was maybe six times that woven in 1300, even though population had been reduced by perhaps a half.³ Economic impact was far greater than even these figures suggest. Much of the cloth made in 1300 was homespun that produced no income: in 1550 a far greater percentage was commercially woven with spinsters and weavers paid in ready money. Wool and cloth production, its trade and the jobs it created, seem to have been the key driver in the geographical redistribution of wealth to the southern half of the country from the

¹ M. Postan, 'Some economic evidence of declining population in the later middle ages', *Economic History Review*, 2nd ser., iii (1950), 221–46, at p. 232; E. M. Carus-Wilson, 'Trends in the export of English woollens in the fourteenth century', in E. M. Carus-Wilson, *Medieval Merchant Venturers: Collected Studies* (1967), pp. 239–64, at pp. 261–2; R. H. Britnell, 'The English economy and the government, 1450–1550', in *The End of the Middle Ages? England in the Fifteenth and Sixteenth Centuries*, ed. J. L. Watts (Stroud, 1998), pp. 89–116, at p. 93.

² J. Oldland, 'Wool and cloth production in late medieval and early Tudor England', *Economic History Review*, lxxvii (2014), 25–47, at p. 29.

³ There still is no consensus about the population in 1300 and the depth of its decline by the mid 15th century, so the extent of population change from 1300 to 1550 is debatable.

fourteenth to the mid sixteenth century. The cloth industry after 1475 was a catalyst for economic growth in what otherwise remained a somewhat stagnant agricultural economy.

Changes in product and process

The English cloth industry became increasingly competitive because its merchants and clothiers were able to both raise quality and lower production costs. Not only did the product change dramatically, but broadcloth prices came down as wool prices fell after 1380, process technology improved, and clothiers made the production system more efficient. In 1300 the industry was in the process of changing from worsteds to woollens; in 1550 almost everyone wore woollens.⁴ Worsteds in 1300 could be easily made in village homes, and most were. The wools used were of average length and available locally. They were combed and spun with distaff and spindle in their natural oils and woven by one person on a narrow loom, and most of the cloth was around a foot in width, and woven in short lengths of ten feet or less. The cloth did not need to be fulled, or finished.

In 1550 almost all woollen cloth was heavily fulled woollens, mostly woven on a broadloom which was a much lengthier and more complex process. The wool used was shorter and curlier and therefore may have had to be purchased from wool broggers. The wool was sorted, washed and then greased with oil. The warp was combed and rock-spun, the weft carded and wheel-spun. Commercially produced cloth was usually woven on a broadloom that cost three or four times more than a narrow loom. Cloth was usually woven to a width of two and three-quarter yards wide on the loom, usually twelve to thirteen feet long after fulling in 1400, but twenty-four to twenty-six feet long in 1500, and sometimes as long as forty yards.⁵ The standard broadcloth now required 84lb of wool.⁶ To be efficient a weaver needed at least two looms, one of which was being prepared with the warp threads set, while two weavers sat side by side weaving cloth on the other. The cloth had then to be degreased, other impurities removed and fulled at the fulling mill.⁷ The fulled cloth was re-stretched on a tenter

⁴ J. Munro, 'Textile technology', in *The Dictionary of the Middle Ages, Volume II*, ed. J. R. Strayer and others (New York, 1988), pp. 693–711, at p. 694.

⁵ *Records of the City of Norwich*, ed. W. Hudson and J. C. Tingay (2 vols., Norwich, 1901), ii. 105–6; *York Civic Records, Volume III, 1504–1536*, ed. A. Raine (York Archaeological Record Series, cvi, 1942), p. 21; J. Oldland, 'The variety and quality of English woollen cloth exported in the late middle ages', *Journal of European Economic History*, xxxix (2011), 215–29.

⁶ *Tudor Economic Documents*, ed. R. H. Tawney and E. Power (3 vols., 1924), i. 178–84.

⁷ J. Langdon, *Mills in the Medieval Economy: England 1300–1540* (Oxford, 2004), p. 46. The number of industrial mills is estimated to have risen from 600 in 1300 to between 1,300 and 2,000 in 1540.

and wet sheared before delivery to a shearmen who would lightly grease the cloth, nap and shear it several times, and then fold and pack the cloth. In the early fourteenth century there was also an intermediate product, serge, using worsted warps and woollen wefts, and lightly fullled. We can see the process of transition from worsteds to woollens through the growth of fulling mills catalogued by Carus-Wilson, Langdon and others.⁸ The transition from worsteds to woollens was almost complete by 1350. Clothmaking had become more labour intensive, and it was far more difficult for a household to make cloth of acceptable quality in 1550 than 1300.

Woollen cloth became steadily heavier. Worsteds were not only easier to produce, but were also lighter, and therefore used less wool. I have estimated that the weight of cloth based on the size of standard broadcloth went from 38lb at the beginning of the fourteenth century to 64lb in the mid sixteenth century, an increase of 70 per cent.⁹ This weight increase was not just because of the transition to woollens, but also the desire for higher quality cloth as the standard of living rose; and because English merchants forced up the weight of exported cloth as wool prices went down in the fifteenth century. The fixed wool subsidy on the declining price of English wool exports made wool increasingly more expensive for continental draperies. The more English wool used to make broadcloth the greater the English price and value advantage.

Woollens production became more efficient as technology improved. Mill fulling replaced foot fulling, and mills became more efficient. Weft thread became wheel spun in the fourteenth century, and warp thread for coarse cloth started to be wheel spun in the later fifteenth century.¹⁰ The fulling mill produced a 70 per cent cost saving over foot fulling, and wheel spinning a threefold productivity improvement for spinning weft.¹¹ The gig-

⁸ E. M. Carus-Wilson, 'An industrial revolution of the thirteenth century', in Carus-Wilson, *Medieval Merchant Venturers*, pp. 183–210; R. Holt, *The Mills of Medieval England* (Oxford, 1988), p. 154; Langdon, *Mills*, pp. 40–63.

⁹ Oldland, 'Wool and cloth production', p. 29.

¹⁰ Hudson and Tingay, *Records of the City of Norwich*, ii. 105–6; H. Lemon, 'The development of hand spinning wheels', *Textile History*, i (1975), 83–91, at pp. 87–8; J. Munro, 'Medieval woollens: textiles, technology and industrial organisation, c.800–1500', in *The Cambridge History of Western Textiles*, ed. D. Jenkins (Cambridge, 2003), pp. 197–202; P. Chorley, 'The evolution of the woollen, 1300–1700', in *The New Draperies in the Low Countries and England, 1300–1800*, ed. N. Harte (Oxford, 1997), pp. 7–34, at p. 22. The first direct reference we have to an all-carded English woollen was at Norwich in 1508, where woollen weavers' ordinances declared that low thread-count narrow cloths (350 warp threads per yard) were all wheel spun.

¹¹ Munro, 'Textile technology', p. 698; Munro, 'Medieval woollens: textiles', pp. 203, 207. The Saxony wheel introduced in the 15th century was twice as productive as the old wheel.

mill that mechanized raising the nap, part of the finishing process, was used in mid fifteenth-century Wiltshire, but was prohibited by parliament in the mid sixteenth century.¹²

More important than technology was the rural clothier, who used capital and labour more effectively. He had sufficient capital to control the complete production process, in contrast with urban drapers who mostly financed trade, but tended to ignore production until the cloth was fulled: only investing in finishing and dyeing-in-the-piece. The clothier bought and often dyed the wool, financed its production, invested in looms and fulling mills, built up wool, yarn and cloth inventories, and financed its sale. The clothier used labour more efficiently. He paid piece rates, used female and child labour extensively, and adjusted his use of labour to blend with the rhythms of agricultural life.¹³ For example, the Kendrick Newbury workhouse accounts from the early seventeenth century show us that little yarn was spun in late August and early September, as spinsters went to the fields.¹⁴ From 1562 justices of the peace could force artificers to bring in the harvest.¹⁵ The clothier specialized in one type of cloth for which he found a national market, rather than produce a range of cloths, typical of most urban draperies, to suit a broad but limited regional market. By the sixteenth century standard broadcloth was woven in East Anglia and the West Country; kersey across southern England; cheap narrow cloths in Devon and Cornwall, Wales, Cheshire and Lancashire. The West Riding made inexpensive dozens and kerses. Only the highest quality 'long cloths' were made in towns: Worcester, close to the finest wools, made whites, and Reading and the Kentish Weald, near London, specialized in finished, coloured cloth.

Size of the industry

Historians have tended to underestimate the size of the industry, and therefore conclude that it had limited economic impact. Michael Postan in 1950 stated that 'the numbers engaged in English cloth production at its height could not possibly have accounted for more than an insignificant proportion of the rural population in the country'. He thought demand was

¹² *Statutes of the Realm*, 5&6 Edward VI, c. 22; E. M. Carus-Wilson, 'Evidences of industrial growth on some fifteenth-century manors', *Economic History Review*, 2nd ser., xii (1959-60), 190-205, at p. 201.

¹³ J. Thirsk, 'Industries in the countryside', in *Essays in the Economic and Social History of Tudor and Stuart England*, ed. F. J. Fisher (Cambridge, 1961), pp. 70-88.

¹⁴ *Newbury Kendrick Workhouse Records 1627-1641*, ed. C. Jackson (Berkshire Record Society, viii, 2004), p. xxix.

¹⁵ *Statutes of the Realm*, 4 Eliz. c. 4.

less than 50,000 cloths, which produced 15,000 full-time jobs, equivalent to 0.65 per cent of employment in 1377.¹⁶ He estimated that the wage to make a broadcloth at the beginning of the fifteenth century was thirty shillings, and that it took fifteen weeks work to make a cloth, earning 24*d* a week. Eleanora Carus-Wilson pointed out that this underestimated the number of workers because yarn preparation was lower paid work.¹⁷

Carus-Wilson in the same year correctly estimated that 17,000–20,000 more clothworkers were producing exported cloth at the end of the fourteenth century, based on full-time work. Assuming that no woollen cloth was imported and that domestic demand was static, there were 23,000–26,000 more clothworkers at the end of the century than at the beginning.¹⁸ She acknowledged that more workers were involved because some of the work was part time. Richard Britnell, writing in 1997, believed that the increase in cloth exports from the 1450s to the early 1540s may have created employment for around 21,500 people.¹⁹ He estimated that the hours taken to produce broadcloth was equivalent to a quarter of a year's work. Since this full-time work was only equivalent to the labour of 1.2 per cent of the population aged sixteen years or over, it was unlikely to have much effect on economic growth. It should be noted that all three used the concept of full-time work. Britnell defined it as 270 working days a year.

If you add the figures of these eminent economic historians together, combining Postan's domestic market figures with Carus-Wilson and Britnell's figures for the export market, the total is still only around 61,000 jobs devoted to clothmaking in 1540 assuming a static domestic market of 50,000 cloths, hardly a vital economic force. Both Carus-Wilson and Britnell thought that the domestic market, at best, was stagnant, so all economic growth was in exports, and this produced around at best 46,000 jobs. Not insignificant since the population halved, but insufficient to move the economic needle.

The size of the domestic cloth market was far greater than Michael Postan and the wool historians Robert Trow-Smith and Peter Bowden thought when they considered the subject in the 1950s.²⁰ It was always greater than the export market, rather than a small percentage of it, even when exports surged in the early sixteenth century. Edward Miller thought that home demand in

¹⁶ Postan, 'Some economic evidence', p. 234.

¹⁷ Carus-Wilson, 'Export', p. 261.

¹⁸ Carus-Wilson, 'Export', p. 261.

¹⁹ Britnell, 'English economy', pp. 92–3.

²⁰ Postan, 'Some economic evidence', p. 234; R. Trow-Smith, *A History of British Livestock Husbandry* (1957), p. 140; P. J. Bowden, *The Wool Trade in Tudor and Stuart England* (1962), p. 38.

the early fourteenth century might have been equal to 150,000 to 200,000 broadcloths.²¹ Christopher Dyer suggested that, if in 1500 1,250,000 adults were buying three yards of cloth annually, this would amount to 160,000 cloths, double cloth exports.²² Looking at the number of weavers and their likely production in the Babergh Hundred, Suffolk in 1522, where the county's clothmaking was concentrated, and then projecting this nationally, he felt that cloth production cannot have been any less than 200,000 cloths.²³ In addition, there was considerable non-clothing usage for woollen cloth, which in 1688 was estimated to have been a third of clothing usage.²⁴

The estimates in Table 12.1 are based on domestic consumption of 160,000 cloths in 1311–15, falling to 140,000 cloths in 1441–5, and then rising quite dramatically through to the end of the sixteenth century. Per capita consumption rose dramatically after the Black Death through to the mid sixteenth century, and then continued to increase at a far slower rate until the end of the century, as the standard of living fell for the wage earner. Recent estimates suggest that pasture moved from 51 per cent of agricultural output in 1350 to 62 per cent in 1450.²⁵ It is difficult to imagine that the per capita production of wool therefore went down anywhere to the extent that population declined, even taking into account that some of the pasture was used for cattle, and wool yields declined.²⁶ Since wool exports fell far faster than the wool used in cloth exports from 1350 to 1450, the only conclusion must be that domestic consumption rose quite dramatically. Domestic consumption was driven higher by rising household incomes, colder winters, increasing weight of woollen cloth, improved productivity, and the allure of fashion. It is possible that by the mid sixteenth century the production of woollen cloth in terms of its total weight had risen almost six-fold from 1300. Craig Muldrew has recently estimated the domestic market to have been 300,000 cloths in 1590, with per capita consumption continuing to grow. I also believe that the customs figures for exports underestimated the size of the export market, because they excluded cheap narrow cloths that

²¹ E. Miller and J. Hatcher, *Medieval England: Towns, Commerce and Crafts* (1995), p. 126.

²² C. Dyer, *The Age of Transition* (Oxford, 2005), p. 159.

²³ Dyer, *The Age of Transition*, pp. 148–9.

²⁴ C. Muldrew, "'Th'ancient distaff" and "whirling spindle": measuring the contribution of spinning to household earnings and the national economy in England, 1550–1770', *Economic History Review*, lxxv (2012), 498–526, at p. 514.

²⁵ S. Broadberry, B. Campbell, A. Klein, M. Overton and B. van Leeuwen, 'British economic growth, 1270–1870: an output-based approach' (2011), p. 34, <<http://www2.lse.ac.uk/economicHistory/whosWho/profiles/sbroadberry.aspx>>; charted in S. Broadberry, B. Campbell, A. Klein, M. Overton and B. van Leeuwen, *British Economic Growth, 1270–1870* (Cambridge, 2015), p. 114.

²⁶ Oldland, 'Wool and cloth production', pp. 38–41.

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were not subject to petty custom, and cloth was actually longer than the standard cloth on which the figures were based.²⁷ The figures in Table 12.1 tell us that cloth production per capita increased 3.5 fold from the 1310s to the early 1440s and then a further 50 per cent again over the next century.

Table 12.1. The amount of cloth produced from 1311–15 to 1590

	1311–15	1441–5	1541–5	1590
Number of cloths produced:				
Domestic	160,000	140,000	190,000	299,601
Export	3,879	56,456	118,056	122,428
Total	163,879	196,456	308,056	422,029
% used domestically	97.6	71.3	61.7	70.9
Cloth weight	38	46	64	64
Pounds of cloth produced	6,227,000	9,037,000	19,715,000	27,009,000
Index to 1311–15	100	145	317	434
Population	4,690,000	1,950,000	2,830,000	3,900,000
Pounds of cloth per capita	1.33	4.63	6.97	6.93
Index to 1311–15	100	348	524	521

Source: Oldland, ‘Wool and cloth production’, p. 29; Muldrew, “Th’ancient distaff” and “whirling spindle”, pp. 515–19.

Days worked and the number of clothworkers

It took around 264,000 clothworkers, or about 15–16 per cent of the adult workforce, to make 308,000 equivalent broadcloths in the early 1540s.²⁸ To reach this conclusion it is necessary to estimate how many hours each process took and how many hours, on average, a clothworker worked during the year. Broadcloth production was labour intensive. Quality mechanically fulled, late sixteenth-century broadcloth is estimated to have taken 978 hours to produce.²⁹ Lord Cobham pointed out in the late 1560s that ‘the making of a broadcloth consisteth not in the travail of one or two persons, but in a number as of thirty or forty persons at the least, of men, women and children’.³⁰ When Lord Kenyon investigated the establishment

²⁷ Oldland, ‘Wool and cloth production’, p. 43.

²⁸ This assumes adult population to be 60% of the total. In 1679 a pamphleteer estimated that 700,000 were connected with, or dependant on, the woollen industry (see A. P. Usher, *The Industrial History of England* (New York, 1920), p. 208).

²⁹ W. Endrei, ‘Manufacturing a piece of woollen cloth in medieval Flanders: how many work hours?’, in *Textiles of the Low Countries in European Economic History*, ed. E. Aerts and J. Munro (Leuven, 1990), pp. 14–33.

³⁰ BL, Cotton MS, Vesp. F, xii, fo. 168.

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of a textile industry in 1588, his consultant Ralph Mathew considered that it would take sixty people to turn out either two broadcloths or six kerseys a week in Yorkshire.³¹ At Newbury in 1631–2 it took forty to fifty spinners to keep four broadlooms and one narrow loom going, and this necessitated the establishment of four spinning houses in the countryside apart from spinners in Newbury. Every two weeks someone visited the houses to distribute wool to spinners and pick up yarn.³²

Table 12.2. Hours to produce broadcloth and number of clothworkers in 1541–5

Processes	Number of hours	Hours to produce 308,000 cloths in 1541–5 (millions)	Annual hours making cloth	Number of clothworkers
Yarn preparation	622	186.8	920	203,043
Weaving	130	39.0	1,200	32,500
Mechanical fulling	30	7.2	2,300	3,130
Cleansing and tentering	60	18.0	2,300	7,826
Finishing	120	36.0	2,300	15,652
Dyeing	8	2.4	2,300	1,043
Assistants, final pressing and packing	8	2.4	2,300	1,043
Total	978	291.6		264,137

Source: Endrei, 'Manufacturing a piece of woollen cloth in medieval Flanders', pp. 14–33.

To put this labour intensity in perspective, a shepherd looking after 400 sheep could produce wool for ten cloths. The 978 hours to produce broadcloth was just under half a year's work, so it would have taken close to five clothworkers to use all the wool the shepherd produced. Sixty-four per cent of the hours involved in making cloth were mostly secondary employment by country women and children sorting, combing and spinning wool. Weaving a cloth took 130 hours, and some of this must have been part-time, as women and children would have frequently set up the looms and wives sat side-by-side weaving with their husbands. Most were employed in the countryside, a higher percentage than a century before. Admittedly the estimate, that the average cloth took 978 hours to make, is a little high. Much exported cloth was dyed and finished at Antwerp at this

³¹ *Manuscripts of Lord Kenyon*, Historical Manuscripts Commission, 14th Report, Appendix Part IV (1894), pp. 572–3, reprinted in Tawney and Power, *Tudor Economic Documents*, i. 216–17.

³² Jackson, *Newbury Kendrick Workhouse Records*, pp. xxxiii–xxxv.

time, and not all cloth was pressed and properly packed. On the other hand there was additional work moving the cloth, negotiating with suppliers, etc.³³ Also, the average cloth probably took less time than high quality broadcloth. Cheaper cloth used cheaper processes, and cloths like cottons and frieze were less expensively finished. Yet most cloths were surprisingly similar in weight per area, and those that were slightly lighter were offset by the finest long cloths made in places like the Kentish Weald that took longer to make.³⁴

The estimate of the time worked, 2,300 hours for full-time work (230 ten-hour days) fulling, and finishing cloth, 1,200 for part-time weaving, and 920 hours for yarn production, is speculative. There continued to be considerable under-employment after the Black Death as many found it easier to sustain an acceptable standard of living with less work. An analysis of late sixteenth-century weaving showed that the average weaver worked at only half his capacity.³⁵ There are records of daily presentations of cloth to the alnager in three English towns, London, York and Bristol, and these can be compared with a Flemish town, Neuve Église (Table 12.3). In London, in 1374–5, records demonstrated the seasonality for fulling cloth, since it was usually fullers who presented cloth to the alnager and then sold it to merchants.³⁶ At York it was weavers presenting cloth in 1394–5, among them 105 women bringing small amounts of cloth, some as little as three yards in length.³⁷ At Bristol in 1467–8 we see clothmakers often bringing one or two cloths to the alnager each day, rather than assembling large quantities before presentation.³⁸ Production in the highest months might be four times that of winter months when days were shorter. December and January were particularly low production months, June and July tended to be soft, September and October were peak months.

There are two studies on work hours in England that bracket the 1540s, one in 1433 for lead-workers in the Mendips and the other for 1560–9.³⁹ For 1433

³³ In 1588, six out of the 60 people needed to produce broadcloth were just helpers.

³⁴ *Statutes of the Realm*, 5&6 Edward VI, c.6.

³⁵ W. Endrei, 'The productivity of weaving in late medieval Flanders', in *Cloth and Clothing in Medieval Europe*, ed. N. B. Harte and K. G. Ponting (1967), pp. 108–19, at p. 118.

³⁶ J. Oldland, 'London Clothmaking c.1270–1550' (unpublished University of London PhD thesis, 2003), pp. 84–6.

³⁷ *The Early Yorkshire Woollen Trade*, ed. J. Lister (Yorkshire Archaeological Society, xlv, 1925), pp. 47–95.

³⁸ PRO: TNA, E 101/339/11.

³⁹ I. Blanchard, 'Labour productivity and work psychology in the English mining industry, 1400–1600', *Economic History Review*, 2nd ser., xxxi (1978), 1–24; G. Clark and Y. Van der Werf, 'Work in progress? The industrious revolution', *Journal of Economic History*, lviii (1998), 830–43.

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Table 12.3. Broadcloth production by month, at London, York, Bristol and Neuve Église

Month	London, Oct. 1374– Sept. 1375		York, Oct. 1394– Sept. 1395		Bristol, Oct. 1467– Sept. 1468		Neuve Église, 16 Aug. 1516– 15 Aug. 1517	
	Cloths	Index to avg. month	Cloths	Index to avg. month	Cloths	Index to avg. month	Cloths	Index to avg. month
January	95	98	126.1	47	89	35	329	51
February	42	43	194.5	73	380	149	161	25
March	48	49	513.7	193	358	141	783	122
April	78.5	81	389.6	146	245.5	97	1,233	192
May	111.5	115	288.4	108	180.5	71	473	74
June	106	109	57.0	21	223	88	1,044	163
July	89	92	219.8	83	190	75	262.5	41
August	107.5	111	540.2	203	251	99	682 ^a	106
September	185	190	241.0	91	563	221	1,103	172
October	152.5	157	333.1	125	341	134	631	98
November	118	121	249.9	94	178	70	623	97
December	34	35	39.2	15	53	21	364.5	57
Year	1,167		3,192.5		3,052		7,689	
Average month	97.25	100	266.04	100	254.33	100	640.75	100

^a Actual production was 603.5 pieces between 1 July and 16 Aug. (6 weeks), and 1,444 pieces between 16 Aug. and 1 Oct. (6 weeks).

Source: TNA: PRO, E 101/340/22, 339/11; Lister, *The Early Yorkshire Woollen Trade*, pp. 47–95; W. Endrei, ‘The productivity of weaving in late medieval Flanders’, p. 114.

Ian Blanchard concludes that the miner/farmer spent around half the year, 135 days, farming his five acres of leased land, and around a further sixty-five days mining for a total of 200 days.⁴⁰ Blanchard’s farmer-miner worked only

⁴⁰ The 65 days of mining for the mid 15th century is not explicitly stated by Blanchard, and has to be teased out of his text and charts. My estimate differs from Allen and Weisdorf’s reading of Blanchard’s data, at 165 days a year in 1433 and 180 days in 1536 (see R. C. Allen and J. L. Weisdorf, ‘Was there an “industrious revolution” before the industrial revolution? An empirical exercise for England, c.1300–1830’, *Economic Historical Review*, lxiv (2011), 715–29, at pp. 720–1). My calculation for 1433 is based on reading the text, Table B1, and Figures 6(i) and 12 that is based on farmer-miners. Allen and Weisdorf use Table C2, Appendix C, based on all miners; farmer-miners, cottar-miners and professional miners. No estimate for working days for farmer-miners is possible for the 16th century because the

as long as it took to sustain himself, his mining income roughly equivalent to his rent and the need to maintain his capital equipment. An Antwerp study for the mid fifteenth century concluded that building workers worked for an average of 210 days a year.⁴¹ By 1560–99 the number of days agricultural labourers worked had risen to 257.⁴² The literature on work psychology seems to support the proposition that the pre-industrial wage labourer was motivated by need rather than greed, that increases in days worked, as in the later sixteenth century when real wage rates were declining, was driven by the need to work harder to sustain an accustomed standard of living.⁴³ Allen and Weisdorf concluded that “‘industrious’ revolutions did indeed occur among farm labourers. However, these appear to have come out of economic hardship with no signs that they were associated with consumer revolutions’. This conclusion may not hold for the late medieval period. Allen and Weisdorf’s calculations show that it took half the number of days to earn the money to buy a basket of basic consumption goods in 1450 than 1350.⁴⁴ The inference, although not expressly stated, is that the labourer worked less. He simply concluded that ‘it implies idle labour in the countryside in the fifteenth century’.⁴⁵ However, there is plenty of evidence that the basket of consumables changed: families ate more meat, purchased more clothes, bought more small luxuries, for example. It seems quite logical that many people worked the same number of hours, and maybe more, to adjust to a rapidly changing range of consumer wants: that a taste of a better life was a considerable inducement to work harder, and they then had to work harder again when real incomes began to fall in the sixteenth century. It may have been that after 1470, when rising living standards plateaued but the range of low-cost luxury goods available to buy continued to expand, labourers worked harder. In 1536 forty-nine holy days were removed from the calendar, which also led to some increase in the number of days worked.

mining population seems to have changed from farmer-miners to professional miners. The employment figures on Table C2 do not agree with those on Table B1–1 and Table B1–2, so there is no way of knowing the occupational characteristics of the 16th-century mining population from the article. It should be noted that Blanchard’s analysis for 1433 is centred around a sample of only 15 farmer-miners, which is presumably why he hesitated to draw firm conclusions on days worked.

⁴¹ H. Van der Wee, *The Growth of the Antwerp and the European Economy* (3 vols., The Hague, 1963), i. Appendix 48, pp. 540–1.

⁴² Clark and Van der Werf, ‘Work in progress?’, p. 838.

⁴³ L. Angeles, ‘GDP per capita or real wages? Making sense of conflicting views on pre-industrial Europe’, *Explorations in Economic History*, xlv (2008), 147–83; Allen and Weisdorf, ‘Was there an “industrious revolution”’, pp. 715–29.

⁴⁴ Allen and Weisdorf, ‘Was there an “industrious revolution”’, p. 719.

⁴⁵ Allen and Weisdorf, ‘Was there an “industrious revolution”’, p. 722.

For this exercise it is assumed that clothworkers worked 230 days a year because, especially from the mid fifteenth century onwards, they were more entrepreneurial, ambitious and acquisitive than Blanchard's lead miners.⁴⁶ Tenant farmers were forced to work harder to pay rents and tithes when agricultural prices were falling, or they would lose money.⁴⁷ In a period of rapidly rising demand for cloth there was greater opportunity to work harder, demand forcing supply. Further, clothworking was a year-round activity, whereas lead mining was possible only from March to October; the work was easier and certainly closer to hand. Since the Mendips was also an important clothmaking region, perhaps the more ambitious became clothmakers. Real wage rates for labourers were declining from the 1520s providing an inducement to work harder.⁴⁸ The assumption is that most yarn preparation was by married women who gave about 40 per cent of their time to clothmaking, based on a late seventeenth-century study showing that married women spun 2.5lb of wool a week, and single women 6lb.⁴⁹

Clothworkers' wages

It is estimated that wages from producing 308,000 cloths in 1540 would have amounted to £320,570, if all the cloth was produced with paid work; equivalent to just over one pound a cloth (Table 12.4). There are no detailed English cloth production accounts: nevertheless, there is sufficient wage data to roughly estimate the fifteenth-century labour cost to produce broadcloth. Much clothmaking was set on the basis of piece rates, payment for work done. Consequently work was accomplished with reasonable efficiency, and clothiers aggressively competed on both price and quality.⁵⁰

⁴⁶ F. E. Baldwin, *Sumptuary Legislation and Personal Regulation in England* (Baltimore, Md., 1926); Dyer, *Age of Transition*, pp. 132–5, 143–7; C. Dyer, 'Luxury goods in medieval England', in *Commercial Activity, Markets, and Entrepreneurs in the Middle Ages*, ed. B. Dodds and C. D. Liddy (Woodbridge, 2011), pp. 217–38; Oldland, 'Wool and cloth production', pp. 35–7; J. Oldland, 'London's trade in the time of Richard III', *The Ricardian*, xxiii (2013), 21–9.

⁴⁷ J. Hatcher, 'Unreal wages: long-run living standards and the 'golden age' of the fifteenth century', in *Commercial Activity, Markets and Entrepreneurs in the Middle Ages*, ed. B. Dodds and C. D. Liddy (Woodbridge, 2011), pp. 1–24.

⁴⁸ Allen and Weisdorf, 'Was there an "industrious revolution"', p. 719.

⁴⁹ Muldrew, "'Th'ancient distaff" and "whirling spindle"', pp. 499, 507.

⁵⁰ R. C. Allen, 'Progress and poverty in early modern Europe', *Economic History Review*, lvi (2003), 403–43, at p. 413. Allen has worked out an index for productivity in making broadcloth, dividing the price of cloth by a geometric average of the price of wool and artisan wage rates. This shows some increase in productivity from 1500 to 1550. However, given the high amount of female labour in making cloth, artisan wage rates may not be a good proxy for clothworkers' wages.

The economic impact of clothmaking on rural society, 1300–1550

Table 12.4. Value of clothworking wages, if paid, in 1540s

Processes	Days to produce 308,000 cloths (ten-hour day)	Daily wages or income (<i>d</i>)	Value of work, if paid (£)
Wool sorting	1,540,000	1.5	9,625
Yarn preparation	17,140,000	2	142,833
Weaving	3,900,000	3.9	63,112
Fulling/tentering	720,000	3	9,000
Cleansing	1,800,000	3	22,500
Finishing	3,600,000	4.2	63,000
Dyeing	240,000	6.5	6,500
Packing and transportation	240,000	4	4,000
Total	29,180,000		320,570

Further, there seems to have been a working convention at the time that the master weaver received two thirds of the value of the work, and the servant a third.⁵¹ So the price of weaving in effect has the lower wages for wives, children, servants and apprentices built into the cost. The average daily wage for making cloth was 2.64*d* because so much work was by women and children. For comparison, Bowden's estimate for the average agricultural labourer outside harvest time in southern England was 4.66*d*; and Phelps Brown and Hopkins's for southern craftsman in the 1532–48 period was 6–7*d*.⁵² Clark's more recent estimate combining agricultural day wages and piece-rate wages for 1540–9 was lower at 3.63*d*.⁵³

Thorold Rogers observed that artisans' piece work tended to pay less than daily work before the fifteenth century, and a little more afterwards.⁵⁴ Blanchard's miners saw their daily rates increase between 1430 and 1460 from 3*d* to 4*d* per day.⁵⁵ Although we have no wage price series for clothworkers their rates also may have increased as demand for their services rose, and

⁵¹ *The Coventry Leet Book*, ed. M. Dormer Harris (Early English Text Society, Original Ser., cxxxiv, 1907), p. 94.

⁵² E. H. Phelps Brown and S. V. Hopkins, 'Seven centuries of building wages', *Economica*, new ser., xxii (1955), 195–206, at p. 205; P. Bowden, 'Statistical appendix', in *The Agrarian History of England and Wales, Volume IV 1500–1640*, ed. J. Thirsk (Cambridge, 1967), pp. 864–5.

⁵³ G. Clark, 'The long march of history: farm wages, population, and economic growth, England 1209–1869', *Economic History Review*, lx (2007), 100.

⁵⁴ J. E. Thorold Rogers, *Six Centuries of Work and Wages* (1903), p. 328.

⁵⁵ Blanchard, 'Labour productivity', p. 21.

clothiers competed for reliable, expert spinners on whom they ultimately depended. This also seems to be supported by the dispersion during the fifteenth century of low-priced cloth production to peripheral areas of the country where spinning costs were lower.

One of the advantages of rural clothmaking was that children and wives could work without regulation, whereas urban guilds excluded women from most organized trades with some few exceptions, silkweavers for example.⁵⁶ In towns, women's economic position seems to have deteriorated with the mid fifteenth-century depression, and did not recover as population slowly expanded.⁵⁷ Rural women carded, spun and wove: boys carded, set up the loom, and may, on occasion, have woven. Combing the warp thread was harder work often done by men.⁵⁸ Payment depended on the type and location of work. Combers, carders, spinners and weavers were paid piecework. Fullers charged by the cloth but either paid their labourers a daily wage or had servants under annual contract, and some labour was by women and boys.⁵⁹ Shearmen charged by the cloth or yard, as did dyers, but they also paid their workers a daily wage, and employed servants and apprentices. Fullers and dyers had to include in their prices some estimate for the value of their considerable capital investment, raw material costs, and leases. The participation of women, children, servants and apprentices makes any estimate based on the wages of master craftsmen far too high, and rural wages were lower than urban wages.⁶⁰ It was explained at York that the flight of its textile industry to the West Riding in 1561 was 'not only the comodytie of the water mylnes is ther nigh at hande, but also the poore folke as speynners, carders, and other necessary work folks for the sayd webbing, may ther beside ther hand labor, have rye, fyre, and other relief good cheape, which is in this citie very deare and wantyng'.⁶¹

The price of women's work has been set at 50 per cent of man's work based on daily wage rates, 2*d* a day.⁶² There is evidence that women were paid equal to men after the Black Death if based on piece rates, if they could do the work; and around 70 per cent of men's wages for agricultural work

⁵⁶ P. J. P. Goldberg, *Women, Work, and the Life-Cycle in a Medieval Economy: Women and Work in Yorkshire c.1300–1520* (Oxford, 1992), pp. 88–92.

⁵⁷ *The Little Red Book of Bristol*, ed. F. B. Bickley (2 vols., 1900), ii. 127–9; P. J. P. Goldberg, 'Female labour, service and marriage in the late medieval urban north', *Northern History*, xxii (1986), 18–38, at p. 35.

⁵⁸ Muldrew, "Th'ancient distaff" and "whirling spindle", p. 503.

⁵⁹ Bickley, *The Little Red Book of Bristol*, ii. 10–14.

⁶⁰ Allen and Weisdorf, "Was there an "industrious revolution", p. 717.

⁶¹ H. Heaton, *The Yorkshire Woollen and Worsted Industries* (Oxford, 1965), pp. 54–5.

⁶² Wages for unmarried women were still estimated to be 50% of those of men in 1851 (see Clark and Van der Werf, 'Work in progress?', p. 840).

when paid on a time basis.⁶³ This clearly did not apply to yarn preparation. Men were rarely involved, the work was year-round and it was usually secondary employment. In fact 2d a day was an excellent wage, if compared with men's wage paid at the winter rate which might be 25–33 per cent less than the summer wage, or servants' wages based on annual contract.⁶⁴

The clothier would have sorted the wools, for weft and warp, scoured the wool and then oiled it. This must have been women's work, but we have no cost information. As it was unskilled work, it is estimated to have been 1½d per day, compared with combing, carding and spinning at 2d per day.⁶⁵ There are very few late medieval references to spinning cost. At Laleham in 1290, carding and spinning cost 2d/lb for weft and 3d/lb for warp.⁶⁶ In the 1580s spinners were paid 2–3d per pound.⁶⁷ If in the 1540s they were paid 2d, and they carded and spun 1lb a day, their daily wage would have been 2d, or 11d a week. Married women, servants and children in the household could earn an additional 1d daily for the family for five hours work. Hatcher has estimated that the average late fifteenth-century wage for servants was only 2¼–2½d given that they were paid lower wages during the year than at harvest time, and that there was considerable unemployment.⁶⁸ In this context spinners were well paid, for their income was only just below a skilled worker's agricultural wage, if spinning was continuous work.⁶⁹ We have no way to determine the days worked by an average spinner. However, clothiers had the capital to maintain large wool and cloth inventories and they were operating in a rising market for cloth from 1450 to 1550, so they may well have been able to offer steady work. In 1472, the clothier William Spryng of Lavenham on his death had sixty cloths in inventory; in 1480 Robert Rychardes of Dursley, Gloucestershire, had in storage £18 of warp

⁶³ S. Bardsley, 'Women's work reconsidered: gender and wage differentiation in late medieval England', *Past & Present*, clxv (1999), 3–29; J. Hatcher, 'Women's work reconsidered: gender and wage differentiation in late medieval England', *Past & Present* clxxiii (2001), 191–8, at pp. 192–3.

⁶⁴ The lower winter wage was for building craftsmen, see J. Munro, 'Urban wage structures in late-medieval England and the Low Countries: work time and seasonal wages', in *Labour and Leisure in Historical Perspective. Papers presented at the 11th International Economic History Congress*, ed. I. Blanchard (Milan, 1994), pp. 65–78, at p. 67.

⁶⁵ Before the Black Death, in Bristol Fullers' ordinances, those raising the nap were paid 4d/day, those tramping cloth 6d/day and women 'wedesteres' were paid 1d/day (see Bickley, *The Little Red Book of Bristol*, ii. 10–16).

⁶⁶ T. H. Lloyd, 'Some costs of cloth manufacturing in thirteenth-century England', *Textile History*, i (1968–70), 233–6, at p. 235.

⁶⁷ Muldrew, "'Th'ancient distaff" and "whirling spindle"', p. 504; M. Zell, *Industry in the Countryside: Wealden Society in the Sixteenth Century* (Cambridge, 1995), p. 167.

⁶⁸ Hatcher, 'Unreal wages', p. 6.

⁶⁹ Hatcher, 'Unreal wages', p. 14.

thread, £23 of weft thread, and twenty-two broadcloths, as well as another fifteen or so in London; the Salisbury weaver, William Cuff, in 1500, had £7 of wool, £8 6s 8d of yarn, seventy broadcloths, twenty-six kerseys and thirty-seven dozens in his house; and the Cranbrook clothier, Stephen Draner, in 1540 left £11 of wool and yarn, and cloth worth £174 10s in storage.⁷⁰

Weavers and their assistants spent fifty hours to prepare the warp and weft thread and then warp the loom; and eighty hours to weave broadcloth. At Colchester in 1388 a low quality half-broadcloth cost 1.87d per yard to weave, if we assume it was sixteen yards on the loom, but better quality cloth cost 3d per yard.⁷¹ At York in 1400 journeymen weavers were allowed to charge 2.3d per yard for weaving fourteen yards.⁷² In 1502 in Norwich low quality broadcloth, thirteen yards in length cost 20d, 1.54d per yard.⁷³ At Coventry low quality cloth cost 48d, medium quality, 54d and high quality 60d to weave, or assuming length on the loom of thirty-two yards, 1.5d per yard, 1.69d per yard and 1.875d yard respectively.⁷⁴ The duke of Norfolk paid 2d a yard to weave thirty-seven yards of brown broadcloth in the 1460s.⁷⁵ The prescribed price for weaving a quality broadcloth at York in 1505, thirty-five yards in length before fulling, was 2s 8d, or only 0.91d a yard.⁷⁶ Weaving a cheap dozen in 1588 cost 2.25d per yard.⁷⁷ If we assume that an average broadcloth, thirty-two yards on the loom, in the 1540s cost 1.75d per yard or 56d a cloth, and it took 14.4 nine-hour days to weave, then the cost per day would have been 3.9d. If we also assume that the assistant was paid half the master's wage and they each did half the work, then it was equivalent to 4.9d a day for the master and 2.9d for the servant/wife.

It took an estimated thirty hours to full broadcloth, and sixty hours to wash and clean it. The only reference to the cost of fulling in the literature was at Chester in the 1390s when it cost 20d to mill-full a hundred yards, and 10d to tenter the same length of narrow cloth.⁷⁸ This might be equivalent

⁷⁰ TNA: PRO, PROB 2/7, 57, 174, 525.

⁷¹ R. H. Britnell, *Growth and Decline in Colchester, 1350–1500* (Cambridge, 1986), pp. 60–1.

⁷² Heaton, *The Yorkshire Woollen and Worsted Industries*, p. 39.

⁷³ Hudson and Tingay, *Records of the City of Norwich*, ii. 105–6. The cloth had 700 warps per yard. The rates for higher quality cloth had to be negotiated.

⁷⁴ *The Coventry Leet Book*, ed. M. Dormer Harris (Early English Text Society, Original Ser., cxxxvi, 1909), p. 660. Warp counts for low quality cloth was 800–900; medium 900–1,000; fine 1,000–1,100.

⁷⁵ *The Household Books of John Howard, Duke of Norfolk 1462–1471, 1481–1483*, ed. A. Crawford (Stroud, 1992), p. 368.

⁷⁶ Raine, *York Civic Records*, iii. 21.

⁷⁷ Tawney and Power, *Tudor Economic Documents*, i. 217.

⁷⁸ J. Laughton, *Life in a Late Medieval City, Chester 1275–1520* (Oxford, 2008), p. 143. At King's College, Cambridge, in 1536 it cost 48d to *aquat* and *tonsus* (full and shear)

to one and a half broadcloths, so fulling broadcloth would then cost 13.3*d*. Mill fulling was capital but not labour intensive. Hypothetically, a servant supervising the process, paid 3*d* per day, would cost 8*d*, leaving a 5.3*d* profit for the master. Washing and cleaning the cloth required the work of a master and two assistants. If the master earned 6*d* and assistants 3*d*, then the average cost was 4*d* a day, and the cost for a cloth 24*d*.⁷⁹ At Bristol in 1381 those working for fullers 'on the land' were paid 3*d* a day.⁸⁰ The duke of Norfolk paid 36*d* to burl a blue cloth in the 1480s.⁸¹

The standard charge for finishing, combining the work of both the fuller and the shearmen to finish standard broadcloth at the end of the fifteenth century, was 2½*d* a yard.⁸² It cost Sir Thomas Howard in the late fifteenth century 48*d* to shear his broadcloth in Suffolk.⁸³ In the 1520s it cost the London draper, Thomas Howell, 2½*d* per yard to have his cloths napped and sheared, 60*d* for a twenty-four yard cloth.⁸⁴ If finishing a twenty-four yard broadcloth was 60*d*, and it took 14.4 days (130 hours over nine days), then the daily wage was 4.16*d*. If the work was done by one master fuller or shearman, and two assistants, and the master earned twice the servant's wage, then the master earned 6*d*, and the servant 3*d*.

Master dyers were highly skilled and carried great responsibility. In 1563, when rates were set for all London journeymen at £6 13*s* 4*d*, an exception was made for dyers' foreman who were to be paid £10, equivalent to 10*d* a day for a 230-day working year.⁸⁵ Assuming in the 1540s that the average master dyer was paid 10*d* and his two assistants 3*d*, and the master did half the work, then the average daily wage was 6.5*d*.

It is interesting to note that the value of women's work, if that was equated with wool sorting and yarn preparation, was 48 per cent of all work. It has

chorister's cloth, which had cost 380*d*. If this included only the work done by a fuller (fulling, burling and tentering), then the average daily wage to complete the work would have been 5.7*d*/day (see J. E. Thorold Rogers, *A History of Agriculture and Prices in England from the Year of the Oxford Parliament (1259) to the Commencement of the Continental War (1793)* (8 vols., Oxford, 1866–1902), iii. 506). The wage would have been far less if it included dry shearing as well.

⁷⁹ At York burling (washing and cleaning) was 1*d*lyd, or 24*d*/cloth at the turn of the fifteenth century (see Heaton, *The Yorkshire Woollen and Worsted Industries*, p. 39).

⁸⁰ Bickley, *The Little Red Book of Bristol*, ii. 15–16.

⁸¹ Hudson and Tingay, *Records of the City of Norwich*, ii. 407.

⁸² This includes tentering the cloth, wet shearing it by the fuller, and the shearman raising and cutting the nap of the dry but oiled cloth. The fuller John Stoke and the shearmen Thomas Martyn had been paid 2½*d* per yard for finishing 339 yards of cloth for the bishop of London in 1477–8 and for two cloths in 1465–6, see TNA: PRO, SC 6/1140/26,27.

⁸³ B. McClanaghan, *The Springs of Lavenham* (Ipswich, 1924), p. 22.

⁸⁴ Drapers' Hall, London, Thomas Howell ledger, fo. 17*.

⁸⁵ *Tudor Proclamations*, ed. P. L. Hughes and J. F. Larkin (3 vols., 1964), ii. 233, 256.

been estimated that in the 1590s the earnings of a married woman, who spent half her time spinning, would have been equivalent to 31 per cent of a labourer's wage.⁸⁶

Economic value

The value of the cloth industry can be determined by multiplying the price of cloth by the number of cloths, but there are two problems, price inflation in the 1540s and the wide range of cloth prices. Price inflation, beginning in the 1520s, gathered momentum with Henry's 1542 currency devaluation. The range of prices across a broad range of cloths is best illustrated by the large inventory of a Salisbury draper, David Lewis in 1548, whose sixty-nine rolls of quality broadcloths, ranging from 144*d* per yard for one scarlet to 24*d* per yard for coarse red and black cloth, produced an average of 53*d* yard or 1,272*d* (£5 6*s*) for a broadcloth: his sixteen northern dozens were valued at 23*d* yard.⁸⁷ The price of his ten quality kerseys was 28.5*d* per yard, and his cheaper kerseys 19*d* per yard for an equivalent width of broadcloth.⁸⁸ His eight straits were worth 26*d* per yard for equivalent broadcloth. The thirty-nine cheap narrow cottons, frieze and kendalls were worth 13*d* per yard for equivalent broadcloth width. If we assume that broadcloth was 50 per cent of the market, northern dozens 10 per cent, kerseys and straits 20 per cent, and cottons and frieze 20 per cent, then the average wholesale price for woollen cloth was £3 12*s*.⁸⁹ Thorold Rogers' prices for first quality Cambridge broadcloth indicate rapid inflation during this period, as it was purchased for 80*s* in 1536 (assuming a twenty-four yard cloth), 108*s* in 1541 and 130*s* 8¾*d* in 1544, and averaging 128*s* for the period 1544–9; second quality cloth was 66*s* 6*d* in 1536, 81*s* 4*d* in 1541; even third-quality cloth was 76*s* in 1541.⁹⁰ In 1548 Cambridge coloured broadcloth was purchased for £6, a 15 per cent premium over David Lewis's wholesale price.⁹¹ Using this markup the average price of retail cloth in 1548 is estimated to have been £4 2*s* 10*d*.

The assumption is that an average cloth was priced at retail at around £4 in the early 1540s, and that therefore production wages accounted for a

⁸⁶ Muldrew, "Th'ancient distaff" and "whirling spindle", p. 510.

⁸⁷ TNA: PRO, E 154/2/22.

⁸⁸ Broadcloths were one and three quarters yards in width, kersey one yard and cottons and frieze three quarters of a yard.

⁸⁹ The composite price of £3.62 was 50% quality broadcloth at £5.30, 10% northern dozens at £2.30, 20% kerseys and straits at £2.40 for equivalent widths, and 20% cottons and frieze at £1.30 for equivalent widths.

⁹⁰ Thorold Rogers, *A History of Agriculture and Prices*, iii. 506–7; iv. 587.

⁹¹ Thorold Rogers, *A History of Agriculture and Prices*, iii. 506.

quarter of the final price.⁹² If all cloth was traded on the open market, then the value of cloth production would have been around £1,232,000 or 11.2 per cent of net national income, estimated at £11 million in 1546.⁹³ It has been estimated that industry was around 39 per cent of the economy in 1522, or £4.29 million, so woollens manufacture would have been 28.7 per cent of industrial output (including mining), again if all cloth was purchased on the open market.⁹⁴ In 1700 woollens' share of industry was 27 per cent.⁹⁵

This industry value is exaggerated because homespun continued to be made in large quantities, and this was unpaid work, unless it was traded at fairs and markets which, in fact, must often have been the case. We can see, from the alnage accounts for York and Middlesex for 1394–5, women bringing very small lengths of cloth to pay the subsidy and then be sold.⁹⁶ So we need to consider just how much cloth in 1300 and 1550 was homespun, and how much commercially produced. Unfortunately we cannot answer this question with statistics, but a far greater percentage of cloth was woven for the commercial market in 1500 than 1300. The growing complexity of the production process for woollens, increased capital, higher quality expectations and skill requirements all favoured commercial clothmaking.⁹⁷ Further, after the Black Death, other occupational opportunities and increased specialization reduced underemployment levels, and this made it logical to buy rather than make cloth. It has been suggested that landlords, farming their own demesnes, who had previously arranged for turning wool into cloth for their household and retainers, were now buying it on the

⁹² The reduction from £3.62 to £3.00 was made because of price inflation during the 1540s, and the belief that Lewis's inventory would have been superior to the average price of cloth. The only long price series for woollen cloth gives prices for the 1540s of 42d a yard, or £4 5s 8d a cloth (see G. Clark, 'The macroeconomic aggregates for England, 1209–2008', *Research in Economic History*, xxvii (2010), 51–140, Table A1).

⁹³ Clark, 'Macroeconomic aggregates', Table 13. Mayhew has recently estimated national income to have been £8.62 million in 1546, based on the work by Broadberry and others, 'British Economic Growth', in which case woollens production would have been 14.3% of national income (see N. J. Mayhew, 'Prices in England, 1170–1750', *Past & Present*, ccxix (2013), 3–39, at p. 37).

⁹⁴ Broadberry and others, 'British economic growth', p. 38. In 1522 agriculture was estimated to be 39.7% of output, industry 38.7%, and services 21.6%.

⁹⁵ Broadberry and others, 'British economic growth', p. 35.

⁹⁶ Lister, *The Early Yorkshire Woollen Trade*, pp. 39–45; TNA: PRO, E 101/340/26, 127.

⁹⁷ For example clothiers often had several broadlooms: Robert Rychardes had three in his house in 1480; the Newbury weaver Nicholas Frere had two osette and two 'quelyng' looms in 1495; William Cuff in his weaving house in 1500 had three broadlooms and two other looms; John Scoten of Nayland in 1539 had three broadlooms in his weaving shop (see TNA: PRO, PROB 2/57, 95, 174, 233).

open market.⁹⁸ But the crucial factor was the rural clothier whose capital, expertise and organization made cloth production so much more efficient that both homespun and urban clothmaking became uncompetitive. The growth of urban clothmaking in the second half of the fourteenth century was reversed in the fifteenth, before recovering in the second quarter of the sixteenth with the rising export of the highest quality long cloths.⁹⁹

The narrow cloth clothier was a far smaller operator, making kerseys or straits. The area of cloth was a quarter to a third of the size of broadcloth, required only a narrow loom, and straits were sold on the basis of cost not quality and therefore required less skill. He might be independent but he often sold his cloth to a clothier to finish and market. In a sense he was the successor to the maker of homespun, but he was making cloth for a regional, national or international market. For instance, narrow cloths transformed the Devon economy as kerseys and straits were made in most of its villages and small towns in the early sixteenth century.¹⁰⁰

There were still broad areas of the country where homespun was still widely woven, especially in central and northern England, whose economy remained depressed in the later fifteenth century, and were distant from the emerging areas of commercial rural clothmaking. In Woodward's study of late sixteenth-century northern builders, he found that over a third of Lincolnshire carpenters' inventories between 1550 and 1600 had spinning wheels, and more than 20 per cent among Lancashire and Cheshire carpenters between 1580 and 1660.¹⁰¹

Economic impact

This study suggests that the demand for cloth was far greater than has been suggested. A recent study concluded that industry, which accounted for 19.2 per cent of the economy in 1381, had risen to 22.7 per cent in 1524.¹⁰² Bruce Campbell estimated that 'non-agricultural employment may have

⁹⁸ A. R. Bridbury, *Medieval English Clothmaking* (1982), p. 64.

⁹⁹ Oldland, 'Variety and quality', pp. 227–8.

¹⁰⁰ C. Dyer, 'Small towns 1270–1540', in *The Cambridge Urban History of Britain*, 1: 600–1540, ed. D. Palliser (Cambridge, 2000), pp. 505–37.

¹⁰¹ D. Woodward, 'Wage rates and living standards in pre-industrial England', *Past & Present*, xci (1981), 28–46, at p. 39.

¹⁰² S. Broadberry, B. M. S. Campbell and B. van Leeuwen, 'When did Britain industrialise? The sectoral distribution of the labour force and labour productivity in Britain, 1381–1851', *Explorations in Economic History*, 1 (2013), 16–27, esp. p. 23. These figures may well be conservative as the paper assumes that women's participation in the workforce was constant at 30%, whereas this chapter, and other work on servanthood and late marriage, indicates increased participation. For 1522 the only available database for rural England in 1522 was Rutland, a county where industrialization is likely to have been below average.

contributed roughly a tenth of rural incomes by 1300. Two centuries later this proportion had probably doubled, as manufacturing fastened more vigorously onto rural labour'.¹⁰³ Clothmaking was important because of its size and the employment it generated: woollens production was more labour intensive than worsteds, less homespun was woven, and demand for cloth increased both domestically and for export. At the same time technical and organizational change produced significant improvements in productivity. The industry became more geographically specialized as regional clothiers leveraged their competitive advantage, cheaper cloths moving to areas furthest from London in the later fifteenth and early sixteenth centuries.¹⁰⁴

The rapid increase in textile income stimulated other work. One extra shepherd gave rise to as many as five clothmakers who eventually helped to create many more jobs. Some of the jobs were to supply the industry with raw materials and market the cloth, but most were to support other agricultural, manufacturing and service jobs that developed as income was spent. To give some obvious examples: the population of Coventry and York slumped once the cloth industry declined in the fifteenth century; and Lavenham, a sleepy village in 1400, was transformed into a prosperous cloth town, supporting seventeen non-textile trades in the 1520s.¹⁰⁵

This chapter illustrates that household, rather than male employment is critical to our understanding of the late medieval rural economy. John Hatcher's recent provocative paper on wages and living standards showed how difficult it was for a fifteenth-century tenant farmer with 18–20 acres to make a profit as prices fell faster than rents, and that this could not be achieved if he was paying harvest wages throughout the year.¹⁰⁶ He undoubtedly improved his economic position by increasing the size of holdings and converting arable to pasture, lowering wage costs by hiring on annual contracts, using household labour more effectively, and employing other cost-reduction farming practices. He also increased his income through rents, and diversification into industry or services.¹⁰⁷ In

¹⁰³ B. M. S. Campbell, 'The land', in *A Social History of England, 1200–1500*, ed. R. Horrox and M. Ormrod (Cambridge, 2006), p. 221.

¹⁰⁴ Cheaper cloths used cheaper raw materials so labour was a higher percentage of production cost: wool alone accounting for 33–40% of cost.

¹⁰⁵ J. Patten, 'Village and town: an occupational study', *Agricultural History Review*, xx (1972), 1–16, at p. 13.

¹⁰⁶ Hatcher, 'Unreal wages'.

¹⁰⁷ C. Dyer, 'A small landowner in the fifteenth century', *Midland History*, xiii (1972), 1–14; C. Dyer, 'A Suffolk farmer in the fifteenth century', *Agricultural History Review*, lv (2007), 1–22. The Warwickshire farmer, John Brome, operated a quarry and tile-works to supplement income from cattle rearing, while Robert Parman's wife Joan managed an alehouse.

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Table 12.5. Schofield's ranking of county lay wealth from 1334 to 1515

Ranking	1334	1515	Growth from 1334 to 1515
1	Lincolnshire (Holland)	Middlesex	Devon
2	Oxfordshire	Somerset	Middlesex
3	Norfolk	Essex	Cornwall
4	Bedfordshire	Kent	Essex
5	Berkshire	Surrey	Surrey
6	Rutland	Gloucestershire	Somerset
7	Middlesex	Suffolk	Suffolk
8	Gloucestershire	Hertfordshire	Kent
9	Lincolnshire (Kesteven)	Huntingdonshire	Hertfordshire
10	Huntingdonshire	Berkshire	Dorset
11	Cambridgeshire	Wiltshire	Hampshire
12	Northamptonshire	Norfolk	Worcestershire

Source: R. S. Schofield, 'The geographical distribution of wealth in England, 1334–1649', *Economic History Review*, 2nd ser., xviii (1965), 483–510.

southern England clothmaking was the primary secondary employment opportunity.

The dramatic economic impact of the cloth industry seems to be clear from Schofield's comparative ranking of the wealth in the top twelve counties from 1334 to 1515 (see Table 12.5). London's rapid growth in wealth spread to the counties that surrounded it – Middlesex, Surrey, Kent, Essex and Hertfordshire – and the most important factor in London's growth was expansion in the value of its cloth trade, and the increased wealth from trade in imported merchandise that cloth now mostly financed.¹⁰⁸ Clothmaking counties were among the wealthiest in 1515, and dominated the list of those counties with the most rapid growth from 1334.¹⁰⁹ Much of the change probably occurred at the end of the period, after 1470. From the 1520s continued industry expansion provided an opportunity for additional employment that would offset the declining buying power of wages as inflation began to grip the country.

¹⁰⁸ J. Oldland, 'The wealth of the trades in early-Tudor London', *London Journal*, xxxi (2006), 127–56; J. Oldland, 'The expansion of London's overseas trade from 1475 to 1520', in *The Medieval Merchant: Proceedings of the 2012 Harlaxton Symposium*, ed. C. M. Barron and A. F. Sutton (Donington, 2014), pp. 55–92. Wool income remained remarkably constant during the 15th century but declined in the 16th.

¹⁰⁹ All these counties were centres of woollen manufacture except Norfolk which dominated the market for worsteds.

This chapter is also relevant to the work by Nick Mayhew, Gregory Clark, and the ‘National Income Group’, led by Stephen Broadberry, who are trying to track the long-term performance of the English economy. This is extremely difficult for the fifteenth and sixteenth centuries since the manorial database based on demesne agriculture becomes less reliable as a general indicator after 1420, and the early modern database based on probate inventories becomes available only in the second half of the sixteenth century.¹¹⁰ Further, estimates for population around 1300, and for 1379–81 and 1522 based on the poll tax and muster returns are subject to some error that may affect projections for changes in per capita income. Sectoral studies such as this can modify conclusions that come from macroeconomic studies. Clothmaking was important because it affected both the sheep population and secondary employment in the countryside, agriculture and industry. For example, the National Income Group projected sheep numbers falling from 15 million in 1300 to a trough of 11.29 million in 1400–9, only to rise to 9.55 million in 1550–9, then leaping to 16.75 million in 1600–9.¹¹¹ My projections are 13.7 million adult sheep in 1311–15, falling to 11.4 million in 1391–5, rising to 12.8 million in 1491–5, and then dramatically increasing to 15.0 million in 1541–5.¹¹²

The national income study also projected that the value of textile production, indexed to 100 in 1700, was 42.01 in 1350, and fell to a low of 31.45 in 1500 before rebounding to 46.04 in 1550 and 66.10 in 1600.¹¹³ This chapter suggests that textile production, rather than following the general reduction in demand for most of the fifteenth century, was in fact a stimulus to the economy until the mid-century depression, and then a catalyst for economic recovery at the end of the century. Farmers struggled to sustain themselves as agricultural prices fell; while industrial work, often based on piece-work wages and secondary employment, became more efficient and productive, especially in the countryside. The national income study has per capita GDP declining annually by 0.07 per cent from the 1450s to 1480s, remaining stable until the mid sixteenth century, and then growing strongly at 0.17 per cent in the second half of the century.¹¹⁴ Higher textile employment and income, and its rippling effects throughout the economy, may well have resulted in higher per capita economic growth from 1475; with acceleration from the later fifteenth century, thus either

¹¹⁰ Broadberry and others, *British Economic Growth*, Appendix, pp. 80–2.

¹¹¹ Broadberry and others, *British Economic Growth*, Appendix, p. 106.

¹¹² Oldland, ‘Wool and cloth production’, p. 29.

¹¹³ Broadberry and others, ‘British economic growth’, App. Figure A6.1 (B), from national income database.

¹¹⁴ Broadberry and others, *British Economic Growth*, p. 204.

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bringing closer together the growth rates in the first half and second half of the sixteenth century, or even reversing the trend, with per capita growth rates in the first half of the century exceeding those in the second.

13. Dealing in crisis: external credit and the early fourteenth-century English village

Phillipp R. Schofield

Medieval historians are increasingly interested in low-level exchange, peasant economic agency and the significance of peasant production and consumption not only in terms of standard of living but also as motors of the wider medieval economy. This also means that historical discussion of the medieval peasantry has tended to locate peasants in a wider world than once was the case. Where once the historical focus was upon the relations of lord and tenant, defined by rent and labour within the confines of the manor, peasants and other rural-dwellers are discussed in ways that show them as acted upon by other than simply their lords: the church, government, merchants, townsmen, all had a significant if not always consistent part to play in the lives and economy of the medieval village. As importantly, and as some historians to date have tried to show, the peasantry's reach, in terms of production for wider markets and of consumption within those same markets, also had an impact that, cumulatively, was of the greatest significance. Chris Dyer and the late Richard Britnell have both shown that peasant consumption extended beyond the village and that small-scale exchange between trade town and countryside was of the greatest significance to the medieval economy.¹ In a number of studies in the last two decades or so, other historians have tested the likely contribution of peasants, c.1300, to England's GDP and have concluded that it was vast.² Within the medieval village historians have also tended to view the nature of exchange differently; whereas it was once a standard that much inter-peasant exchange was a function of familial and seigneurial relations and

¹ For instance, R. H. Britnell, *The Commercialisation of English Society, 1000–1500* (Cambridge, 1993; repr. Manchester, 1996); C. Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c.1200–1520* (Cambridge, 1989 and later edition, 1998); C. Dyer, 'The consumer and the market in the later middle ages', *Economic History Review*, 2nd ser., xlii (1989), 305–27, reprinted in C. Dyer, *Everyday Life in Medieval England* (1994), pp. 257–81; C. Dyer, *An Age of Transition? Economy and Society in England in the later Middle Ages* (Oxford, 2005), pp. 126–72.

² See, for instance, J. Masschaele, *Peasants, Merchants, and Markets: Inland Trade in Medieval England, 1150–1350* (New York, 1997); N. J. Mayhew, 'Modelling medieval monetisation', in *A Commercialising Economy. England 1086 to c.1300*, ed. R. H. Britnell and B. M. S. Campbell (Manchester, 1995), pp. 55–77.

that, to quote M. M. Postan, the former of these were often characterized by a certain ‘timelessness’, a *histoire immobile* has tended to give way to a rather more frenetic village-level economy where (certainly in the eastern counties and in the decades either side of 1300 – where a fair amount of recent research has been focused) exchange, especially the buying and selling of land, moved at a pace determined more by prevailing market conditions than by the life-cycles of peasant families.³ As Bruce Campbell noted in an article published almost a decade ago, this also served to redistribute and to help fragment holdings in ways that left small-holders dependent upon fragile markets and highly vulnerable to the kinds of severe price hikes occasioned by poor and sometimes disastrous harvests.⁴

This chapter will explore the ways in which capital in the form of credit and goods came into and, most importantly, was extracted from the medieval village in the decades either side of 1300, and consider especially the role of external creditors, including merchants, in that process. This is a topic that has been little studied by historians to date and those historians of the medieval English village who have addressed issues of credit and indebtedness have tended not to give it a great deal of attention. In what follows, the suggestion is that, while the number of smaller-scale credit and trading agreements internal to the medieval village was almost certainly greater than the more extensive credit agreements that took place in the medieval village, the extent of even a few much larger agreements, often established beyond the manor and village between unequal parties, was of far greater weight and significance than the cumulative totals of the smaller-scale agreements. From this basis it is argued that such large agreements illustrate the economically rarefied position that creditors (including merchants and factors from beyond the village) and their debtors (mostly upper- and middling-type villagers) may have occupied in the medieval rural economy; it is also suggested that the largest credit agreements could and did sometimes operate in direct response to, but also on occasion independently of, the major and more familiar economic and environmental crises, including harvest failure, which historians associate with this period and identify as the main drivers of economic and social change.⁵ It is also

³ M. M. Postan, ‘The charters of the villeins’, in *Carte Nativorum, a Peterborough Abbey Cartulary of the Fourteenth Century*, ed. C. N. L. Brooke and M. M. Postan (Oxford, 1960), pp. xxviii–lxv; reprinted in M. M. Postan, *Essays in Medieval Agriculture and General Problems of the Medieval Economy* (Cambridge, 1973), pp. 107–49, esp. p. 114.

⁴ B. M. S Campbell, ‘The agrarian problem in the early fourteenth century’, *Past & Present*, clxxxviii (2005), 3–70.

⁵ I. Kershaw, ‘The Great Famine and agrarian crisis in England 1315–1322’, *Past & Present*, lix (1973), 3–50, reprinted in *Peasants, Knights and Heretics*, ed. R. H. Hilton (Cambridge, 1976), pp. 85–132.

suggested that the behaviour of such agreements, as typically recorded in the form of pleas of debt in manorial courts, which may not have followed a consistent pattern but instead responded to the needs of the parties to the particular agreements, could have significant secondary effects within the locales of the debtors, not least in their impact upon the capacity of the wealthier villagers, debtors to outside creditors, to engage with and support their poorer neighbours during periods of shortfall and crisis.

As already mentioned, a good deal of discussion of economic activity within the medieval village has centred upon relations between lord and tenant and, to a lesser but also significant extent, of dealing between villagers. Thus, as well as a persistent commitment to discussion of such issues as rent and labour service, there has also been a good deal of work, especially in the last quarter century or so, on inter-peasant exchange, especially in terms of land, and most recently, goods and credit.⁶ In the last decade or so, work by Chris Briggs as well as my own work has sought to deepen and extend the limited extent of research on rural credit.⁷ Most of this discussion of credit has been directed at inter-personal litigation within the manor court and within the village, i.e. peasants arranging credit agreements or suing each other in debt. There has been much less discussion of credit issuing from beyond the manor and village or being extended and/or recovered by individuals who dealt not only with peasants.⁸ As Jim Bolton has noted, 'we know little about how and from whom money could be borrowed in

⁶ On the land market, see for instance B. M. S. Campbell, 'Population pressure, inheritance and the land market in a fourteenth-century peasant community', in *Land, Kinship and Life-cycle*, ed. R. M. Smith (Cambridge, 1984), pp. 87–134; P. R. Schofield, 'Dearth, debt and the local land market in a late thirteenth century Suffolk community', *Agricultural History Review*, xlv (1997), 1–17; R. M. Smith, 'Families and their land in an area of partible inheritance: Redgrave, Suffolk 1260–1320', in Smith, *Land, Kinship and Life-cycle*, pp. 135–95; R. M. Smith, 'Transactional analysis and the measurement of institutional determinants of fertility: a comparison of communities in present-day Bangladesh and pre-industrial England', in *Micro-Approaches to Demographic Research*, ed. J. C. Caldwell, A. G. Hill and V. J. Hull (1988), pp. 227–40.

⁷ Briggs, *Credit and Village Society*; also C. D. Briggs, 'Manor court procedures, debt litigation levels, and rural credit provision in England, c.1290–c.1380', *Law and History Review*, xxiv (2006), 519–58; P. R. Schofield, 'L'endettement et le crédit dans la campagne anglaise au moyen âge', in *Endettement paysan et crédit rural dans l'Europe médiévale et moderne. Actes des XVIIes journées internationales d'histoire de l'abbaye de Flaran, Septembre 1995*, ed. M. Berthe (Toulouse, 1998), pp. 69–97; P. R. Schofield, 'Access to credit in the medieval English countryside', in *Credit and Debt in Medieval England*, ed. P. R. Schofield and N. J. Mayhew (Oxford, 2002), pp. 106–26; P. R. Schofield, 'Credit and debt in the medieval English countryside', in *Il Mercato della Terra. Secc. xiii–xviii* (Prato, 2004), pp. 785–96; P. R. Schofield, 'The social economy of the medieval village', *Economic History Review*, lxi (2008), 38–63.

⁸ See Schofield, 'Access to credit' for some discussion of this point.

villages'.⁹ Chris Briggs suggests that credit was sustained horizontally in the medieval village and that transactions were often, indeed, typically, conducted between parties of roughly equal standing, both parties tending to come from within rather than beyond the villages. Briggs does however note that a small number of villagers appeared to sit outside this general pattern, appearing more often than most as creditors and seldom, if at all, as debtors.¹⁰ As well as attempting to identify the nature of relationships between parties, of which more below, close examination of the pleas encourages a number of conclusions regarding the timing of the litigation, the period of the initial contract and of the subsequent recovery, and of the tactics of both creditor and debtor in a changing economic landscape. And, importantly, the economy, as we have already mentioned in terms of grain price movement, changed often and quite violently in this period, that is, the decades either side of 1300. As Briggs and others have described, a count of surviving litigation permits some reasonable quantification of the extent and fluctuation in litigation over debt.¹¹

While a large number of such debt cases recorded in manorial courts from the thirteenth century appear there in summary fashion, some cases provide a good amount of detail and offer particular insights into the nature and significance of credit and its withdrawal in this period. Debt cases in the form of *detinue*, where the defendant has detained a debt beyond the term of the original agreement, often include details of original terms and, as will be discussed, offer particularly useful insights. Briggs identified a handful in his case-study manors and an examination of the dataset for the AHRC-funded project on personal litigation in manorial courts suggests there are a number of such instances.¹² The following example, from East and West Hanningfield in Essex (1332), presents one fairly typical instance in order to set out the general features of such pleas:

Henry Fulk was attached to respond to John de Mattere of Borham who claimed that the same Henry unjustly [detained] from him 11s which he handed

⁹ J. Bolton, *Money in the Medieval English Economy: 973–1489* (Manchester, 2012), p. 209.

¹⁰ C. Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford, 2009), pp. 130–5.

¹¹ Briggs, *Credit and Village Society*, pp. 181–6 for instances of this fluctuation; also Schofield, 'Social economy', p. 48.

¹² Briggs, *Credit and Village Society*, pp. 71–2. Some of the material for this chapter is drawn from court roll series originally investigated as part of the project 'Private law and medieval village society: personal actions in manor courts, c.1250–1350', funded by the Arts and Humanities Research Council, 2006–9, grant reference AH/D502713/1; the project team comprised Chris Briggs and Matthew Tompkins as project researchers; Richard Smith was principal investigator, with Phillipp Schofield as co-investigator.

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to him on Sunday after the feast of the Purification of the Blessed Virgin Mary 1 Edward III (8 February 1327) in the vill of Borham to pay to the abovesaid John on Sunday after the middle of Lent next following (15 March 1327), at which date he did not pay to the said John but detained and to this point detains to John's damage of half a mark and thus he offers his suit. And the abovesaid Henry comes and denies the debt as pleaded and so is at law.¹³

It will be useful to itemize important points that emerge from entries such as this one.

(i) *Delayed payment beyond initial term*

In the first instance, it is clear that examples such as *Mattere v. Fulk* illustrate the ways in which terms could be extended, *de facto* if not *de iure*. To offer some further general instances, in Mildenhall (Suffolk) in January 1285, for instance, there are a number of *debet* and *detinet*-type pleas relating to various sale agreements and deferred payments where the defendant/debtor had failed to pay within the agreed period. The initial period given at Mildenhall was often less than a year but it is striking that the plaintiffs sometimes waited substantially longer than this (sometimes three to five years) before seeking to recover their loss plus damages.¹⁴ At Heacham, Norfolk, in December 1289, the plaintiff Agnes de Rudham sought recovery of 19s 6d in silver (*argentum*) owed for the purchase of three quarters of brewing barley, valued at 6s 6d per quarter, the purchase made over five years earlier in June 1284.¹⁵ Similarly, at Great Barton, Suffolk, one plaintiff, William Raysun, allowed the substantial debt of 37s 7½d, owed to him by John le Forster, to run on for almost five years beyond its original term.¹⁶ At Hinderclay, in the early fourteenth century, recovery of outstanding debts

¹³ Essex Record Office, D/DP M 832; East and West Hanningfield, court of 3 Sept. 1332, *Mattere v. Fulk*.

¹⁴ Suffolk Record Office [hereafter SRO], E18/451/1, Mildenhall, court of 18 Jan. 1285 (13EI), m. 3 (face). Pleas of *detinue*: *Wayschepayl v. Carpentarius*: unjust detention of ash timber worth 18d, received 2 Sept. 1282 at Mildenhall; payment to be made following Michaelmas at Mildenhall. *Marleward v. de Rumburgh*: unjust detention of a horse purchased on 30 Sept. 1285 at 'Wridelingtone', to be paid for the following Tuesday; not yet paid to damage of half a mark. *Le Fermor v. Patrik*; 22 Sept. 1280, Roger le Hunte entered into 10s of debts to be paid the following Michaelmas, with Patrik as pledge. 7s of 10s owed and F pursues P for remainder. *Beneyt v. le Gardiner*: 14d for a tunic, 7 Nov. 1284 to be repaid following Christmas. Unpaid to damage of 12d.

¹⁵ Heacham, court of 2 Dec. 1289, *Rudham v. Harard*, Norfolk Record Office, Le Strange DA2.

¹⁶ SRO, E18/151/1, Great Barton, court of 28 June 1294, *Raysun v. le Forster*. The original repayment date was Wednesday before the feast of St. Thomas the martyr, 18 EI (14 Dec. 1289).

in the same form suggest that creditors were sometimes prepared to tolerate even longer periods, on occasion more than a decade, before (typically though not always in difficult, i.e. high grain price, years) they sought to enforce repayment. A return will be made to some of these examples later, as well as to the more general observation regarding delayed recovery of the debt.¹⁷

(ii) *Size*

Striking in terms of debts recorded as detained in the form 'debet et detinet' or 'detinet' is the information provided on size; it is perhaps not surprising that debts pursued to judgment or for which clear repayment dates had been fixed in the presence of witnesses or supported by written instrument were often relatively large but an initial sampling of debts recorded as unjust detentions suggests that at least 50 per cent were worth more than 5s, and some of these were worth substantially more; it is possible that the longer the term of the debt, then often the larger the size of the debt.

I have tried to suggest elsewhere that most debt cases in manorial courts reflect, even there, relatively substantial credit agreements and their recovery as debts. Of course, it is entirely reasonable to suggest, and indeed it is supported by the evidence, that a great deal of small-scale lending and borrowing took place in the village. It is also reasonable to assume that a high proportion of that did not find its way into the manor court, possibly because (i) the size of the agreements was too small to justify the involved costs or the involvement of the court and (ii) most such agreements could be resolved extra-curially in any case. Our view of the credit 'market' in the medieval village must not though be dominated by smaller debts: larger debts (say, of 5s and above) were an important and discrete element in the credit 'market' of the medieval village, at least c.1300, and it is quite possible to conceive of higher-level credit being more typically dealt with in the manor court.

A focus upon some of the larger debts, some clearly issuing from beyond the manor and involving individuals who we might reasonably identify as merchants, suggests that the total amount of money or money equivalent loaned in the form of small debts and subsequently recovered in the manor was really quite insignificant relative to the money-value of individual larger debts. By my estimate, debts of 1s or less accounted for no more than 3.74 per cent of the total sterling value of credit lent and subsequently pursued as debt at Oakington, Dry Drayton and Cottenham between 1291 and 1350.¹⁸

¹⁷ Schofield, 'Social economy', pp. 55–7.

¹⁸ Briggs, *Credit and Village Society*, p. 59.

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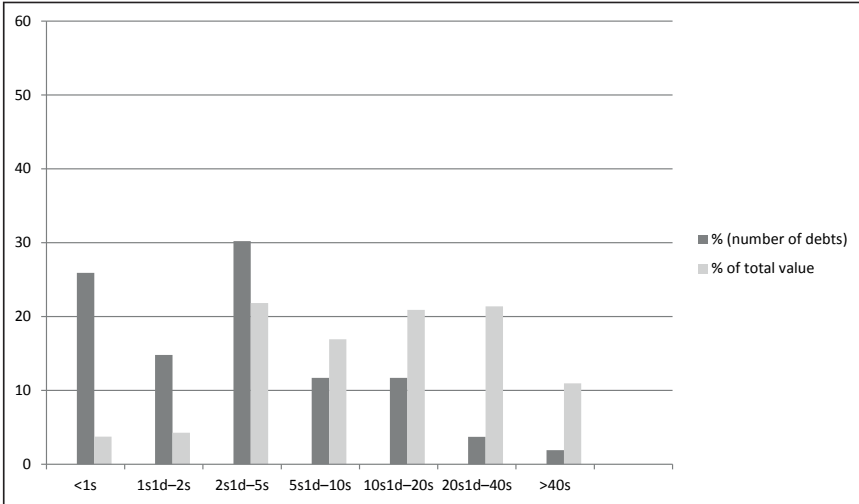


Figure 13.1. Oakington, Dry Drayton and Cottenham, 1291-1350: size of debts (% of n and % of overall recorded value)

Source: Briggs, *Credit and Village Society*, p. 59.

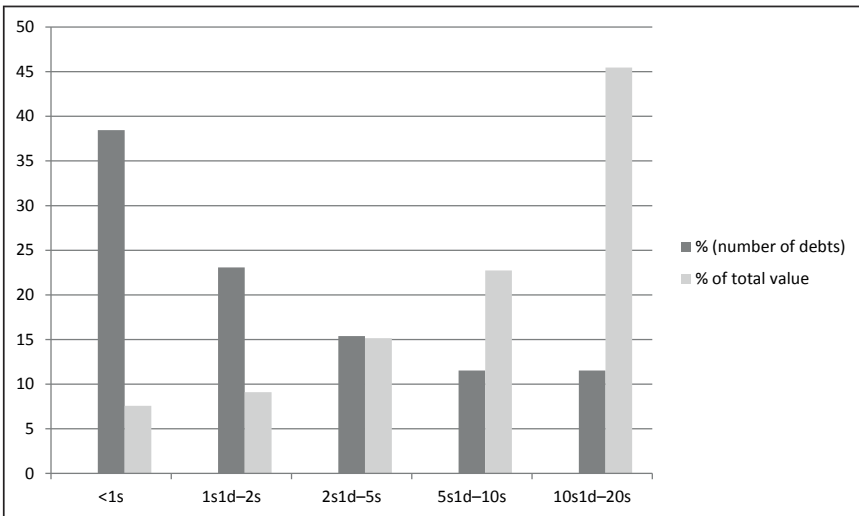


Figure 13.2. Hinderclay, 1311-20: size of debts (% of n and % of overall recorded value)

Source: Schofield, 'Social economy', p. 54.

The total value of debts worth 5s or less was, by estimation, less than 15 per cent while debts to the individual value of 10s or more accounted for upwards of 70 per cent of the total value loaned on the three manors (Table 13.1). Using a smaller sample, of a decade for Hinderclay (Suffolk), from 1311–20, similar patterns emerge: here over 38 per cent of debts with size recorded were for 1s or less. Their overall *value* as credit, relative to the total recorded credit visible in the court rolls in this period, was again much smaller, at 7.6 per cent. Debts of more than 5s accounted for 23 per cent of credit *transactions* but over 68 per cent of the *available credit* (in litigation) (Table 13.2).

(iii) *Proof*

It is also worth noting that some of these larger debts, especially the largest (i.e. 20s or more) were secured by written instruments of a kind that were clearly far from typical in everyday dealing at the village level. While manorial officers would have been closely familiar with tallies and other written/semi-written forms of proof, it is also evident that most dealing in credit at the village level (rather than at the manorial level) was conducted orally and supported by witness proof, as in the example of *Mattere v. Fulk* given above. However, such reliance on oral proof was not always the case and we most obviously encounter tallies, tallies under seals and other forms of written instrument in ‘business’-scale transactions, sometimes conducted at arm’s length, that is with the plaintiff operating from beyond the manor or village and perhaps (sometimes) explicitly applying mercantile law, *lex mercatoria*. At Horsham St. Faith (Norfolk), on the day after the feast of St. Faith (7 October) 1311, a plaintiff-creditor was able to prove his debt of 20s 3d in a contract involving the sale of iron at Norwich by proof of tally *secundum legem mercatorum*.¹⁹ We will return to other examples later in this chapter.

Where written proof did not exist, litigants tended to employ inquest jury or, in debt, more often, as we have just seen in the example above, wager of law. In such instances, where written proof was not available, the length of time subsequent to any breach of the original agreement and before the plaintiff sought recovery may, of necessity, have been shorter than if the plaintiff was dealing under merchant law and employing tally or other written instrument; that said, even over relatively short periods and where written proof could not be vouched, it was possible for the defendant to deny details of the contract to his or her advantage. At Heacham, on 6 February 1299, a defendant, Roger Tucben, sought to retain 4s 6d which the

¹⁹ Horsham St. Faith, court of 7 Oct. 1311, Norfolk Record Office, NRS 19498.

plaintiff, William Attepit, claimed as the remainder of the original purchase price for three quarters of barley purchased by the defendant two years previously. Tucben had already paid 8s 9d for the barley but the plaintiff, Attepit, claimed that the original agreed price had been higher, at 13s 3d.²⁰ This, the defendant denied. Confronted with written proof under mercantile law, most defendants had however no defence and did not typically pursue one. The example from Heacham (1289), given earlier, is unusual in that the defendants in that plea of unjust detention sought to reject the plaintiff's claim for three quarters of barley, denying the contract and the tally and seeking compurgation instead.²¹

(iv) External creditor-plaintiffs

Perhaps most importantly, the kinds of trading and business and legal practices employed in these instances also conform to the view that at least some and perhaps many of such creditors identified in agreements of this kind were *not* residents of the manor in which they were observed to be pleading, and that they had entered the court solely to pursue a particular debt/debtor. Such extra-village/manorial dealing is not always easy to detect and may involve a degree of close investigation of debt litigation but also some prosopographical investigation of parties to litigation. Elsewhere, this chapter examines the presence and role of external creditors in the manor court c.1300 and others have also speculated about the role of Jewish lenders in the mid-to-late thirteenth century and clerical lenders in the same and later periods.²² It is a noticeable feature of the more significant plaintiffs, those pursuing large sums, and often supported in their plea by written instrument, that they appeared hardly at all in the particular manor court in which they were found as plaintiff. This is generally supported by the further analysis of the individuals involved: plaintiffs, sometimes referred to as 'x of y' – as in the example given earlier – and seldom appearing elsewhere in the records of the local court, standing in contrast to debtors who were often very familiar figures within the particular local court. We cannot say with certainty that all of these external creditors were merchants or factors from further afield but it is reasonable to suppose that some were. For instance,

²⁰ Heacham, court of 6 Feb. 1299, *Attepit v. Tucben*, Norfolk Record Office, Le Strange DA2.

²¹ See above, p. 257.

²² See, for instance, Schofield, 'Access to credit'; 'Peasants and contract', p. 147; R. R. Mundill, 'Christian and Jewish lending patterns and financial dealings during the twelfth and thirteenth centuries', in Schofield and Mayhew, *Credit and Debt*, pp. 42–67; P. Nightingale, 'The English parochial clergy as investors and creditors in the first half of the fourteenth century', in Schofield and Mayhew, *Credit and Debt*, pp. 89–105.

John Bande ('Baude') of Ipswich appeared in the manor court at Walsham-le-Willows (Suffolk), in December 1321; an Ipswich resident, Baude was closely involved in the town's government and paid the sixth highest (out of 210 payments) in the 1327 lay subsidy for Ipswich. At Walsham-le-Willows, Baude pursued William Wodebite, a villein of the manor of Walsham, in a plea of debt. William was attached to respond to John. The jurors of the manor court agreed with John that he had delivered 12 marks of silver (£8) to William, in 1319, at Ipswich 'to trade and profit for John's benefit, and William was required to render faithfully a true account thereof quarterly, in accordance with the law merchant and by a certain written agreement'. It transpired that William had refused on numerous previous occasions to render his account and had continued to withhold the debt 'and the profits therefrom'. It was ordered therefore that John should recover.²³ This was John Baude's only appearance in the Walsham-le-Willows court rolls; similar instances of 'single-entry' plaintiffs can be found in other series of courts.²⁴ Such plaintiffs were non-resident and, it is reasonable to assume, had attended the court solely to pursue their debtor and beard him or her in his den.

Examples such as this suggest that credit and debt relations at the level of the manor and village included, by c.1300, credit agreements originating beyond the manor and that, contrary to what is sometimes suggested from creditor-debtor relations in the medieval village and certainly in terms of the proportion of capital involved in the larger credit agreements, we cannot see credit in the manor as largely explained by reciprocal indebtedness operating between generally equal parties.²⁵ This has a number of potentially significant implications for our understanding of the operation of credit and the availability of capital in the medieval village, c.1300, and in particular raises the issues considered in the remainder of this chapter.

(i) Business-type credit agreements

Briggs has suggested, from his analysis of litigation in seven manorial courts, that there is no significant difference between the pool of creditors and that of debtors: 'in no village did there exist a small clique of repeat lenders

²³ *Court Rolls of Walsham-le-Willows, 1303–1350*, ed. R. Lock (Suffolk Records Society, xli, 1998), p. 92.

²⁴ Schofield, 'Access to credit', pp. 117–19; contrast the view of Briggs, *Credit and Village Society*, p. 144, who tends to see the 'patchily documented' as 'probably not noticeably wealthier'.

²⁵ For the contrary view, see Briggs, *Credit and Village Society*, pp. 134–5.

catering for a much larger set of borrowers', a feature he rightly recognizes stands in contrast to much that is known about credit markets in other medieval European contexts.²⁶ This is also contrary to what we might expect if we apply our understanding of typical selection bias from later periods to the socio-economic composition of litigants in the medieval manor court; in different periods and courts, we might tend to suspect that relatively wealthy litigants were frequent users of litigation in ways that other of their neighbours may not have been.²⁷ Other analyses conducted to date also seem to suggest that Brigg's pattern may not be universally applied to the medieval village. At Hinderclay, for example, between c.1290 and c.1305, two villagers were involved as parties in over 30 per cent of the recorded litigation in the manor, 7.25 per cent occurring between the two of them.²⁸

It is also evidently the case that, on occasion, single and uniquely wealthy or well-placed individuals could dominate debt litigation in manorial courts, sometimes for quite discrete periods of time and often no doubt for rather particular reasons. It is the withdrawal or recovery of the larger loans by such individuals, doubtless encouraged in most instances by higher grain prices, that should, if only in terms of the relative weight of their capital, demand our attention. Recovery during a period of high prices does not necessarily suggest that creditor-plaintiffs were in all instances impecunious; we know, for instance, that creditors and grain dealers allowed debts in grain to persist until prices were high and then sought recovery (something that is consistent with mercantile usage in grain marketing in the same period and offered a reasonably effective device for speculating on the returns from the initial contract).²⁹

It is possible, for instance, to consider a number of related claims based on debt and unjust detention, issuing from the same plaintiff, and which appear to reflect the breakdown of normal business relations at the village level and the imposition of aggressive trading on the part of factors, the latter quite possibly occasioned by the external factor of harvest failure. At Great Barton (Suffolk) on 17 March 1316, in the first year of the Great Famine, it was found that Alex Raysun, most probably a manorial officer, had unjustly

²⁶ Briggs, *Credit and Village Society*, pp. 130–1.

²⁷ M. M. Coşgel and B. A. Ergene, 'The selection bias in court records: settlement and trial in eighteenth-century Ottoman Kastamonu', *Economic History Review*, lxxvii (2013), 517–34.

²⁸ Schofield, 'Peasants and the manor court', p. 13; see also Briggs, *Credit and Village Society*, pp. 109–11.

²⁹ On this, see also D. Stone, *Decision-making in Medieval Agriculture* (Oxford, 2005); J. Davis, *Medieval Market Morality, Life, Law and Ethics in the English Marketplace, 1200–1500* (Cambridge, 2012).

detained one quarter of wheat (worth 16s), one and a half quarters of rye (worth 21s), and four bushels of oats worth 5s from a Stephen de Haukedon (mod. Hawkedon). De Haukedon, who may be the same Stephen de Haukedon who appeared as juror at Bury St. Edmunds in disputes between the abbey and the town in 1292–3,³⁰ was almost certainly a grain factor operating beyond the manor; though he also may have held some free land there he was certainly not a customary tenant.³¹ De Haukedon proved his debt by means of a tally under seal, neither a typical nor yet as we have seen, where traders from beyond the manor were concerned, a wholly unfamiliar mode of proof in the manor court.³² In the same court a Richard Lucas was also impleaded by Stephen de Haukedon for unjust detention of five bushels of wheat worth 10s and two bushels of rye worth 3s while Alex de Raysun was again defendant in a plea that he had unjustly detained 2s 6d from William Batayle, money that he should have paid ‘on a certain day’.³³ De Haukedon also sought to recover a further quarter of wheat worth 17s and a quarter of beans worth 12s in the same court and from another party, William le Forster.³⁴ Given the very high prices claimed by de Haukedon, which were consistent with the high prices paid for grains in 1316, we might conclude that his decision to call in debts and damages in spring 1316 was an example of opportunism as much as it was of the desperate recovery of a failed credit agreement.³⁵ Importantly, as a proportion of all debt litigated against in the Great Barton courts for the regnal year 9 Edward II (July 1315 to July 1316), de Haukedon was plaintiff in 87 per cent of the total capital

³⁰ ‘The corporation of Bury St. Edmunds: miscellaneous records’, in *The Manuscripts of Lincoln, Bury St. Edmunds etc.: Fourteenth report, Appendix; part VIII* (1895), pp. 123–44; <<http://www.british-history.ac.uk/report.aspx?compid=67062>> [accessed 4 Nov. 2013].

³¹ On de Haukedon’s holding of free land, see SRO, E18/151/1, Great Barton, court of 20 Oct. 1311, in which he was distrained to pay relief on land purchased from Reginald de Thornhill.

³² SRO, E18/151/1, Great Barton, court of 17 Mar. 1316, *de Haukedon v. Raysun*. For other examples of tally under seal, see P. R. Schofield, ‘Seals and the peasant economy in England and Marcher Wales, c.1300’, in *Medieval Coins and Seals: Constructing Identity, Signifying Power*, ed. S. Solway (Turnhout, 2015).

³³ SRO, E18/151/1, Great Barton, court of 17 Mar. 1316, *de Haukedon v. Lucas; Batayle v. Raysun*.

³⁴ SRO, E18/151/1, Great Barton, court of 17 Mar. 1316, *de Haukedon v. le Forster*. Some of the details, including the initial repayment date, which judging by the surviving parts of the entry appears to have been given in this instance, are missing because of a tear in the membrane.

³⁵ Anxiety over grain and its recovery is also evident in lords’ attempts to recover, or at least to amerce, tenants for failure to render grain owed in 1315–16, as for instance SRO, E18/151/1, Great Barton, court of 27 Oct. 1315, *misericordia vid. de Marger’ le Wollemongere pro eo quod detinet i pek’ bras’ ord’ per x annos*.

Dealing in crisis: external credit and the early fourteenth-century English village pursued, some 84s worth of various grains (out of the total sum of 96s 6d in terms of capital pursued).

(ii) *The role of business-level credit agreements in the wider village economy*

It seems highly likely that the withdrawal of credit on this scale will have exerted pressures not just on the principal debtor.³⁶ From time to time we can see what appears to be a response to loss of capital. At Coltishall in July 1325 John Gritlof recognized he owed 45s to Haukyn le mercer (de Gybewic/Ipswich) for a debt originally due for repayment in Christmas 1318. Early in the next year John Gritlof sold a significant amount of land with the purchase price of 23s 4d to be delivered to his creditor, the remainder identified as still to be raised.³⁷ In other instances it seems reasonable to suppose that withdrawal or recovery of credit by the more substantial creditors/merchants/local traders produced a complementary reaction in their debtors, who as middling-type villagers, may have had their own debtors. Thus, for instance, at Hinderclay in April 1312, the pursuit by Nicholas le Reve of one Walter the son of Reginald for the substantial debt of 1.5 quarters of barley (a sizeable amount tied up in a single grain and consistent with trading in barley) may conceivably have generated an unwelcome response for the defendant's own debtors.³⁸ In October 1312 the same Walter sought recovery of 7s as well as 6d damages from his own debtors, Reginald le Wydewe and Walter le Kyng; we do not know when the initial contract was established in this instance.³⁹ In other instances, we seem to glimpse a run on particular debtors, the recovery of a substantial debt by one creditor encouraging other creditors of the same individual to pursue him or her as well, as is possibly the case at Great Barton in 1316, where the pursuit of Alex Raysun by Stephen de Haukedon may also have encouraged the plea against him by William Batayle.⁴⁰

The overall consequence of aggressive withdrawal of credit by individual creditors may have been to limit the local capital supply. If we look more closely at the Hinderclay court roll entries and plot numbers of debt plaints against the recorded amount of credit pursued per annum (where money

³⁶ Schofield, 'Social economy', pp. 54–5; also, P. R. Schofield, 'Peasants and contract in the thirteenth century: village elites and the land market in eastern England', in *Credit and the Rural Economy in North-Western Europe, c.1200–c.1800*, ed. P. Schofield and T. Lambrecht (Turnhout, 2009), pp. 129–52, at p. 146.

³⁷ King's College, Cambridge, Archive Centre 6/2/038/01/1, COL/363, Coltishall, court of 21 July 1324, *le Mercer v. Gritlof*; for surrender of land, COL/363 m. 15, court of 10 Jan. 1325.

³⁸ Bacon MS 119, m. 19d, court of 24 Apr. 1312, *le Reve v. filius Reginaldi*.

³⁹ Bacon MS 119, m. 20d, Hinderclay, court of 3 Oct. 1312, *filius Reginaldi v. le Wydewe and le Kyng*.

⁴⁰ See above, p. 264.

Medieval merchants and money

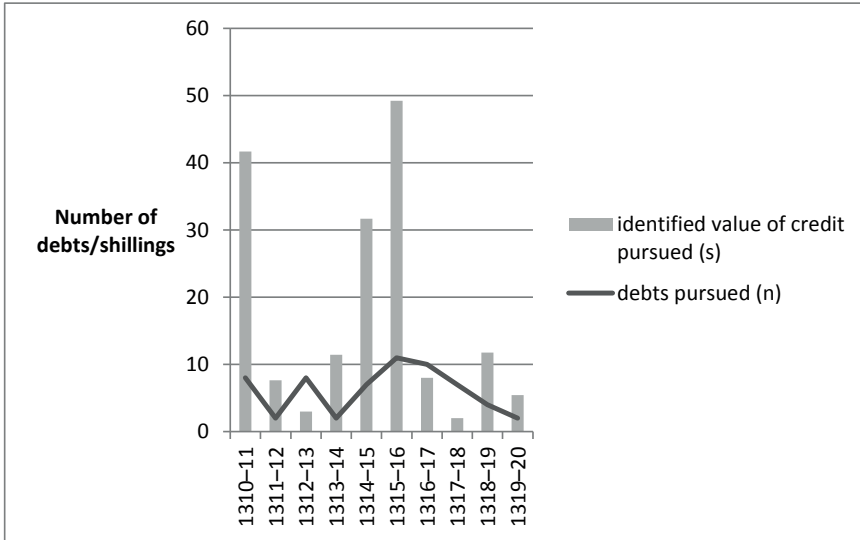


Figure 13.3. Hinderclay, 1311–20: number of debts pursued and recorded value of debts pursued (per annum)

value has been recorded or, in some few instances, where the grain price can be estimated), we note some significant fluctuation in recovery of debts (Figure 13.3). There is also only a weakly positive (0.368) correlation between the number of debts recovered and the amount of credit recovered. We can observe a large number of transactions in certain years, most notably 1315–16, the first of the Great Famine years followed by what appears to have been a significant diminution in debt litigation and the extent of capital recovered in the years immediately afterwards.

To take this one step further and look at the value of individual recoveries in a particular year (the accounting year Michaelmas 1315 to Michaelmas 1316), is to identify some considerable variety in the size of credit recovered, with the seven instances of debt valued in money terms in 1315–16 ranging from *5d* to *16s 4d*.⁴¹ In addition, an unvalued debt of one quarter of barley and two bushels of malt was also recovered in that year.⁴² Such examples seem to present a fairly typical range of types of credit being recovered, comprising both fairly short-term and ‘exigency’ credit as well as larger loans or sale-credits, involving unequal parties, originally extended for investment as

⁴¹ Schofield, ‘Social economy’, p. 56: debts of *2s 8d*, *14s*, *16s 4d*, *2s 1d*, *1s 8d*, *1s 7d*, *5d* and *6d*.

⁴² Schofield, ‘Social economy’, p. 56.

much as or more than for consumption and for *de facto* if not necessarily *de iure* longer terms. It is possible, though it requires further testing in series of manorial courts that will permit an analysis across relevant years, that a run on credit in the first of the Great Famine years, 1315–16, may have reduced the overall availability of credit in subsequent years; it seems possible that, in particular, the withdrawal of very large sums, either in the form of money or in grain, may have had the effect of drawing large amounts of capital out of local credit markets with potentially inhibiting effects.

(iii) Individual credit agreements and crisis events

The larger debt cases, with their uneven and often protracted recoveries, also direct us to some further points relevant to our understanding of credit and of business dealing in the later thirteenth and early fourteenth centuries. In the first instance, there is evidently no uniform shock or development that encourages a universal recovery of larger debts. The decision for creditors to seek final recovery of debts owed could, of course, be determined by a considerable range of possible factors, only some of which are suggested by the pleas occurring in manorial courts. A good deal of the material suggests that legal attempts at recovery, perhaps especially of larger debts where such issues as ‘public fame’, reputation and creditworthiness applied, might be initiated long after the true term of the contract had expired. In these instances, what seems to have initiated litigation was not the effluxion of time but some factor external to the contract, such as but certainly not confined to unusually high grain prices or the perceived weakness of a once trustworthy debtor-client.

We might expect that and indeed we have already seen that, c.1300 and especially c.1315–17, high grain prices encouraged recovery of debt. In March 1311 at Hinderclay (Suffolk) and during a year of relatively high prices, Robert son of Adam sought to recover separate debts in money of 11s 8d and 13s 4d, which had respectively been awarded as recoverable in August 1307 or had been loaned almost a decade earlier in September 1302.⁴³ The example from Great Barton (Suffolk), given above, also indicates that high prices in 1316 may have prompted the creditor to recover debts, the payment of which was already overdue. Further to this, if we look at trends over time in debt recovery from manorial court rolls studied to date, we find some patterning and correspondence of years, especially in terms of the very highest price years. That said, as Chris Briggs has noted, we also detect a far from consistent pattern, especially when we look at years associated with high (but not the highest) grain prices. Thus, for instance,

⁴³ Schofield, ‘Social economy’, p. 56.

the years 1310–11, 1311–12, years associated with higher grain prices, feature only on some manors studied to date (and for which reasonable runs of manorial courts survive) as years of higher than usual debt recovery and not on others. Briggs explains these disparities in terms of the willingness of creditors to extend credit in the previous year.⁴⁴ In other words, where we see larger numbers of debt complaints we might suppose that a fair amount of credit had recently been made available and where we do not it may be that creditors had earlier decided not to extend credit. Of course, it may also be the case that debtors had not sought credit to any great degree during that period or that they had sought it but had repaid it without recourse to the courts or, to follow the instances offered here, that credit had been extended on terms of different lengths than the estimated norm.

It is certainly the case that some creditors did not seek recovery at all during what appear to have been the periods of highest prices even though there existed contracts in debt upon which they could have sought recovery. Briggs notes at Littleport, in 1317 in the aftermath of the worst years of the Great Famine, recovery of an old debt, *ex veteri debito*.⁴⁵ A year later, at Hinderclay in December 1318 Walter Butun sought repayment plus damages for a quarter of barley, four bushels of malt and four bushels of wheat, the repayment date for which had originally been set as eight years previously.⁴⁶ That such a substantial debt had not been reclaimed during the worst years of the Great Famine is not easily explained, though we might suggest any number of possible scenarios in explanation. Butun's late attempt at recovery in 1318 might suggest a change in his own fortunes or anxiety regarding the continued creditworthiness of his debtor, Alice le Wodeward. What is clear is that this was, by 1318, one of relatively few debts pursued or indeed recovered. This suggests that the well of available credit may have been running low by this date. We might also want to suggest that if, by the second half of this decade, credit was still extended, it was as or more likely to be extended within particular and privileged groups (what Philip Slavin in an article recently published on the Great Famine refers to, in citing Sheilagh Ogilvie, as 'particularized trust').⁴⁷ We may in fact need to look to the mid 1320s for any evidence of deferred repayments on larger loans and credit sales contracted in, say, the period 1316 to 1320, the relic of higher-order dealing among wealthier or more trustworthy (in financial

⁴⁴ Briggs, *Credit and Village Society*, pp. 181–3; Schofield, 'Social economy', p. 46.

⁴⁵ Briggs, *Credit and Village Society*, p. 192; at Ingatestone in 1304, a plaintiff sought recovery on an ancient contract, *de antiquo contractu* (Essex Record Office, D/DP M 1, Ingatestone, court of 13 Apr. 1304, *Aslyn v. Loverote*).

⁴⁶ Schofield, 'Social economy', pp. 55–6.

⁴⁷ P. Slavin, 'Market failure during the Great Famine in England and Wales (1315–1317)', *Past & Present*, ccxxii (2014), 9–49, at p. 34.

Dealing in crisis: external credit and the early fourteenth-century English village terms) villagers and, as often must have been the case, their partners external to the manor and village.

If it may prove difficult to associate in absolute and consistent terms some features of credit supply and credit recovery with such a significant shock as the grain price hikes of the early fourteenth century, it is also, inevitably, difficult to make any similar connection with other general developments or shifts. This may be taken to apply, for instance, to historians' attempts to explain the expansion and withdrawal of credit in relation to adjustments in the money supply. While it is entirely reasonable to identify the money supply, just as the poor harvests and price rises of the second decade of the fourteenth century, as potentially significant factors and highly relevant, contextually, it is almost certainly not possible to claim that local creditors responded with anything approaching universality to, most obviously, the dramatic changes in mint output in the early fourteenth century, any more than it is possible to suggest that there was a universal and entirely consistent response to higher grain prices.

At the local level this also means that the particular shock of a reduced or restricted credit supply (rather than more general shocks associated with factors such as weather or the money supply) could be highly localized and driven by the economic dealing of no more than a few individuals, acting within their own business conventions – but with important consequences for a wider population. It behoves us, in so far as we can, to explore these particular factors and test their significance to the limits of our sources. The behaviour of plaintiff-creditors or defendant-debtors in one context, the local manorial court, may, undoubtedly, have also been occasioned by what are to us less visible judgments against them in other, manorial or non-manorial courts, again a reflection of dealing beyond the manor of the kinds set out in some of the instances already offered here. Seigneurial injunction against villein tenants suing and being sued in other courts has typically been explained in terms of the threat such action posed for the lord's property;⁴⁸ while that was almost certainly uppermost in the minds of lords, such action – which clearly did take place with or without lordly sanction – and the threat to social cohesion and everyday dealing in village society of local capital lost to other jurisdictions and to those dealing in them cannot have been without significance.

⁴⁸ For discussion of the same, see P. R. Hyams, *King, Lords and Peasants in Medieval England. The Common Law of Villeinage in the Twelfth and Thirteenth Centuries* (Oxford, 1980), pp. 145–51; C. Briggs and P. R. Schofield, 'Understanding Edwardian villagers' use of law: some manor court litigation evidence', *Reading Medieval Studies*, xl (2014), 122–5.

Further to this, but to take a slightly different tack, we have seen that creditors and debtors involved in some of the largest credit agreements sometimes allowed such agreements to run on for a number of years. This could work for and against the benefit of the local economy. While creditors may for a number of reasons (charity and religious conviction, social capital and public reputation, indolence, the significance of the debt relative to their overall business dealing/credit portfolio, and/or their overall confidence in the systems that supported eventual recovery) have chosen to permit unpaid debts to languish, it is possible that their failure to recover served to inhibit local markets. Major creditors may, on account of sluggish repayment, have been simply less efficient in their particular markets and dealings while local debtors, middling villagers, with the threat of a large debt repayment hanging over them for years at a time, may also have been inhibited in their own dealings at the local level. Of course, this is not for one moment to suggest that the general climatic or institutional shocks and crises were not significant, as clearly they were, but it may encourage us to the view that crises in credit could be particular and occasioned by failed credit agreements operating at the level of the individual, and most often the individual trader or merchant.

14. Market courts and *lex mercatoria* in late medieval England

James Davis

Credit was a vital tool for medieval traders, allowing them to spread their commitments and expand the scale of their business. As Jim Bolton has highlighted, credit provided liquidity in a money economy.¹ However, traders also needed known processes for the enforcement of sales credit or advance purchases, in order to engender market confidence and lower transaction costs. Consequently, the structure of institutions that facilitated credit could influence the prospects and growth of markets, whether in royal boroughs, small towns or villages. There were many jurisdictions through which disputed debts and contracts could be pursued in medieval England, from humble manorial courts to central common law courts, but this study will focus on those courts which were specifically designated as *curia mercati* or *curia fori* – ‘market courts’. These were special courts set up to deal primarily with personal pleas of debt, detinue, and broken contract, though sometimes they absorbed other market business such as maintenance of stalls or the assize of bread. The evidence for such courts is mostly found in small towns or seigneurial boroughs, but they are not as common as might be expected. The royal grant of a market franchise in medieval England seemingly included the jurisdictional right to hold a market court. However, there was no compulsion to offer such a facility for traders and the majority of small market towns simply incorporated this business into the main manorial court. This raises the question of why certain places considered it advantageous to establish a distinct forum for credit disputes and what this offered for both market holders and those conducting commerce. This was not just an issue about legal apparatus and transaction costs; the decision was undoubtedly embedded in the changing economic environment of late medieval England.

A significant amount of scholarly work has been undertaken on mercantile and rural credit in late medieval England in an effort to understand the mechanisms, participants and relationships involved. Pamela Nightingale,

¹ J. L. Bolton, *Money in the Medieval English Economy, 973–1489* (Manchester, 2012), pp. 71–3, 268–9.

Jim Bolton, Richard Goddard, Phillipp Schofield and Chris Briggs, among others, have greatly furthered our understanding of medieval credit networks.² However, much of their work has focused either on London and provincial towns or rural villages. In comparison, little research has been undertaken for fourteenth- and fifteenth-century small towns, despite their dominance in the English market hierarchy and the likelihood that small-scale sales credit was prominent in these places. The work of Elaine Clark on Writtle (for 1382–1490), Dave Postles on Loughborough (1397–1406) and James Davis on Newmarket (1399–1413) remain the main examples, but the findings have yet to be assessed within the context of broader debates about money and credit.³ For instance, one prominent debate, highlighted by the work of Bolton and Nightingale, is whether the credit supply could compensate for a severe contraction in the money supply that intensified between the 1390s and the mid fifteenth century. The establishment of a market court, whether successful or not, was perhaps a statement intended to bolster confidence for a specific market at a time of intense commercial competition and shortages of coin. This chapter provides a preliminary insight into the small town and seigneurial courts designated as *curia mercati* and the motivations behind their development. It is argued that such courts were, in effect, advertising ready access to the procedures of *lex mercatoria* (merchant law) which ensured that cases would be judged by fellow traders. In many ways these small markets were seeking to ape the facilities of many royal chartered boroughs in offering more efficient and merchant-friendly systems of enforcement. The question of who was driving these initiatives is also important, since it is increasingly recognized that seigneurial enterprise and investment were not uncommon, but by the fifteenth century many small towns were effectively run by their tenants as much as by lords.

² P. Nightingale, 'Monetary contraction and mercantile credit in later medieval England', *Economic History Review*, xliii (1990), 560–75; Bolton, *Money*, chapters 7 and 9; R. Goddard, *Lordship and Medieval Urbanisation: Coventry, 1043–1355* (Woodbridge, 2004), pp. 256–76; P. R. Schofield, 'L'endettement et le credit dans la champagne Anglaise au Moyen Âge', in *Endettement Paysan et Crédit Rural dans l'Europe médiévale et modern*, ed. M. Berthe (Toulouse, 1997), pp. 69–97; C. Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford, 2009).

³ E. Clark, 'Debt litigation in a late medieval English vill', in *Pathways to Medieval Peasants*, ed. J. A. Raftis (Toronto, 1981), pp. 247–79; D. Postles, 'An English small town in the later middle ages: Loughborough', *Urban History*, xx (1993), 7–29; J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200–1500* (Cambridge, 2012), pp. 348–68. Rodney Hilton also looked at debt pleas as part of a broader study of Thornbury: R. H. Hilton, 'Low-level urbanization: the seigneurial borough of Thornbury in the middle ages', in *Medieval Society and the Manor Court*, ed. Z. Razi and R. Smith (Oxford, 1996), pp. 482–517.

The right to hold a market court was embedded in the royal grant of a market. *Judicialia ad mercatum pertinentia* were frequently mentioned in thirteenth-century *Quo Warranto* proceedings, which looked into royal franchises and their upkeep, but most often referred to the punishment of trading infringements in the pillory or tumbrel.⁴ However, early twentieth-century historians such as Ephraim Lipson, Charles Gross and Louis Salzman argued that the market charter implicitly included the right to hold a market court to deal with commercial disputes.⁵ Lipson and Gross both suggested that the link between a grant of a fair/market and associated jurisdiction stemmed from the eleventh- and twelfth-century inclusion of 'sac and soc' in such grants. Even once this term disappeared from grants after the reign of Henry II, the jurisdiction was still assumed. This would mirror the jurisdiction of 'piepowder courts' offered in fairs like St. Ives, which provided speedy justice to merchants.⁶ The stipulation that a court of piepowder pertained to all fairs was reinforced in later statutes and rolls of parliament: 'To every of the same fairs is of right pertaining a court of pypowders, to minister in the same due justice in this behalf; in which court it hath been all times accustomed, that every person coming to the said fairs should have lawful remedy of all manner of contracts, trespasses, covenants, debts, and other deeds.'⁷ Fair courts were thus franchisal courts, intrinsic to the right to hold a fair and contingent on the fair holder to organize. Market courts were seemingly viewed in the same way.⁸ A case before the king in 1361 outlined that the lady of the manor of Newport 'had by reason of that market cognizance of pleas of Pie Poudre, namely, from contracts, trespasses, agreements, arising there in the time of the market'.⁹ By the reign of Edward IV, the notion that an associated court was an appurtenance of a market grant was reinforced by the royal judges: 'a chescun market est

⁴ D. W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I, 1278–1294* (Oxford, 1963).

⁵ L. F. Salzman, *English Trade in the Middle Ages* (1964), p. 133; E. Lipson, *The Economic History of England, Volume 1: the Middle Ages* (12th edn., 1959), p. 250; *Select Cases Concerning the Law Merchant AD 1270–1638, I: Local Courts*, ed. C. Gross (Selden Society, xxiii, 1908), pp. xvi–xvii.

⁶ E. W. Moore, *The Fairs of Medieval England: an Introductory Study* (Toronto, 1985), pp. 166–8; H. M. Jewell, *English Local Administration in the Middle Ages* (Newton Abbot, 1972), pp. 200–1. The term 'piepowder' referred to the dusty feet of travelling merchants (Gross, *Select Cases I*, pp. xiii–xiv).

⁷ *Statutes of the Realm (1101–1713)*, ed. A. Luders, T. E. Tomlins, J. France, W. E. Taunton and J. Raithby (11 vols., 1810–28), ii. 461–2, 17 Edw IV c.2 (see also ii. 482–3, 1 Ric III c.6). See also: *CChR 1257–1300*, p. 239; *CPR 1476–1485*, p. 154.

⁸ Lipson, *Economic History*, pp. 250–1.

⁹ *Select Cases Concerning the Law Merchant AD 1270–1638, II: Central Courts*, ed. H. Hall (Selden Society, xlvi, 1930), p. 104.

incident un court de pypoud[re] pour faire justice as marchants deins le market'.¹⁰

However, there is no indication that market grant holders were compelled to offer such a separate facility, even though they had the right to do so. Indeed, the vast majority of small towns, whether boroughs or not, provide no evidence for the existence of a special market court. Instead, most small towns and seigneurial boroughs, like many rural manors, simply incorporated such business into the main manorial or borough court.¹¹ By the fourteenth century, such manorial courts had established procedures for debt actions that mirrored royal court practices, including summonses, essoins, amercements for non-appearance, use of pledges, and distraint.¹² There are even occasional hints of *ad hoc* piepowder courts, not directly linked to a fair, held within a town's court, such as at the portmote of Melton Mowbray in the fifteenth century.¹³ Hilton suggests that the late medieval Halesowen borough court included infrequent meetings of a piepowder court (*curia pulentis*) on some market and fair days.¹⁴ In many larger boroughs a similar conflation of jurisdiction occurred, such as in Ipswich and Bristol which both held piepowder sessions on the days of their fair, but otherwise administered merchant law within the ordinary jurisdiction of the town's court 'when required from day to day'.¹⁵ Southampton's charter of 1401 contained a provision for an extra session of the town court for piepowder cases, which only became a distinct piepowder court by the 1470s.¹⁶ Chartered boroughs at the peak of the commercial chain had a certain leeway in how they organized credit litigation, but how they did so is a complex subject beyond the scope of this study, which will focus instead on provision within small urban markets.

¹⁰ Cf. Gross, *Select Cases I*, p. xviii; *The Common and Piepowder Courts of Southampton, 1426–1483*, ed. T. Olding (2 parts, Southampton, 2011), i. xviii.

¹¹ R. H. Hilton, 'The small town and urbanization – Evesham in the middle ages', in *Class Conflict and the Crisis of Feudalism*, ed. R. H. Hilton (1985), p. 192; J. Isaac, 'Two medieval accounts for the town of Lichfield', *Transactions of the Staffordshire Archaeological and Historical Society*, xviii (1976–7), 59–67, at p. 61; R. A. Holt, *The Early History of the Town of Birmingham 1166–1600* (Oxford, 1985), pp. 12–13.

¹² Briggs, *Credit*; J. S. Beckerman, 'Procedural innovation and institutional change in medieval English manorial courts', *Law and History Review*, x (1992), 197–252, at pp. 243–4.

¹³ J. Laughton and C. Dyer, 'Seasonal patterns of trade in the later middle ages: buying and selling at Melton Mowbray, Leicestershire, 1400–1520', *Nottingham Medieval Studies*, xlvi (2002), 162–84, at pp. 170, 182.

¹⁴ R. H. Hilton, 'Small town society in England before the Black Death', in *The Medieval Town: a Reader in English Urban History 1200–1540*, ed. R. Holt and G. Rosser (1990), pp. 71–96, at p. 76.

¹⁵ *The Black Book of the Admiralty or Monumenta Juridica*, ed. T. Twiss (2 vols., 1871–3), ii. 21–5; *Borough Customs*, ed. M. Bateson (2 vols., 1904–6), ii. 183.

¹⁶ *Common and Piepowder Courts*, i. xi–xiv.

Market court rolls survive for a number of small towns and seigneurial boroughs in late medieval England. A regional focus on East Anglia reveals extant records for Newmarket and Bildeston (both Suffolk), and Heacham, Hingham and Thetford (all Norfolk).¹⁷ There is indirect evidence that three further urban sites in this region once had such a court, namely Bury St. Edmunds (Suffolk), Clare (Suffolk) and Saffron Walden (Essex), but no rolls survive. Gladys Thornton's study of Clare notes references to a *curia fori* as early as 1343–4, when pleas of a market court were accounted for in tandem with borough court fines and the bailiff of the borough was ordered to account for 8*d* worth of income.¹⁸ However, there are no other references beyond that year and most cases of debt subsequently came before the borough court, which was held every three weeks. It did occasionally specify the use of *lex mercatoria*.¹⁹ Mary Lobel refers to a market court that sat in Bury St. Edmunds tollhouse every market day (Monday, Wednesday and Friday) and was called the 'little court' to distinguish it from the main 'great court'.²⁰ She argued that it developed in the thirteenth century because it sat more regularly than the great court and was more efficient in its procedures for debt litigation.

In each case the market court was a supplementary forum, mostly dealing with personal pleas that occurred on the chartered market day itself. Newmarket has some of the best surviving market and fair court rolls covering the years 1399 to 1413.²¹ The account rolls also indicate that revenue accrued from market courts in 1428–40, with an average of thirty courts held per annum, even though the court rolls themselves do not survive.²² Newmarket was a small market on the cusp between a village and town, which catered for a significant amount of through traffic. In the early fifteenth century the town was part of the manor of Sir William

¹⁷ Newmarket: Suffolk Record Office (Bury St. Edmunds) [hereafter SRO (B)], Acc. 1476/1/1–48; Bildeston: Longleat MS 2881; Heacham: Norfolk Record Office (Norwich) [hereafter NRO], LEST/DF 5; Hingham: NRO, KIM 1/6/39; Thetford: NRO, T/C 1/11. Two further Norfolk market courts have been identified for the villages of Horsham St. Faith (1439–61) and Grishaugh (1495–1595), but they are not specifically included in this study (NRO, NRS 13710 and 19516).

¹⁸ G. A. Thornton, 'A study in the history of Clare, Suffolk, with special reference to its development as a borough', *Transactions of the Royal Historical Society*, 4th ser., xi (1928), 83–115, at pp. 96–7; G. A. Thornton, *A History of Clare, Suffolk* (Cambridge, 1928), pp. 37–8.

¹⁹ TNA: PRO, SC 2/203/40, Clare 'Burgess' Court Roll (1328).

²⁰ M. D. Lobel, *The Borough of Bury St. Edmunds: a Study in the Government and Development of a Monastic Town* (Oxford, 1935), pp. 35, 98–9.

²¹ SRO (B), Acc. 1476/1/1–48. P. May, *Newmarket: Medieval and Tudor* (Norwich, 1982); Davis, *Medieval Market Morality*, chapter 3.

²² SRO (B), Acc. 1476/12–13.

Argentein, but he was mostly absent and thus the running of day-to-day affairs was left to the tenants themselves.²³ The other extant East Anglian market court rolls are relatively scanty. Bildeston was a small cloth town that never matched the prosperity of others in the Stour Valley. Its market court records cover the years 1379 to 1384 and are interspersed on the roll with the main manorial court business, though separately headed as a *curia mercati*.²⁴ Hingham's market court sat almost every month, but the court rolls from 1428 to 1469 contain increasingly few debt cases, and by the later period it was largely used to record the offences of bakers against the assize of bread.²⁵ Cases against the assize also appear in the year-long set of market court rolls extant for Heacham (1426–7), similarly with a handful of debt cases in their monthly meetings.²⁶ The borough of Thetford provides a slightly different case in that the borough court appears to have been leased to the burgesses by the fifteenth century, but the lord maintained control over the market court. However, once the market tolls were leased the market court faced a significant fall in its income as well as the number of courts held each year. Indeed, the account rolls show that the number of market courts held in Thetford declined substantially, from forty-two in 1436–7 to twenty-two in the 1450s and just five in 1479–80.²⁷ This was partly linked to a fall in trade, but it was also due to an internal competition for debt pleas. The burgesses were seemingly undermining the market court in order to draw more business to their borough court. The extant court rolls from 1508, 1513–14, 1516 and 1540 show that the number of courts had revived by the early sixteenth century before starting to decline again.²⁸ Something similar may have happened at Saffron Walden (Essex), where the residents were granted burgh tenure by the lord of the manor and by the fifteenth century they were running the main facets of the town. They elected one of their number as bailiff of the market, who apparently presided over a market court that sat only on market days at the 'Tolhouse'.²⁹ Some of the disputes were transferred into the manorial court for further

²³ Davis, *Medieval Market Morality*, pp. 279, 289–96.

²⁴ Longleat MS 2881.

²⁵ NRO, KIM 1/6/39.

²⁶ NRO, LEST/DF 5.

²⁷ M. Bailey, 'Trade and towns in medieval England: new insights from familiar sources', *Local Historian*, xxix (1999), 194–211, at p. 207; M. Bailey, 'Self-government in the small towns of late medieval England', in *Commercial Activity, Markets and Entrepreneurs in the Middle Ages: Essays in Honour of Richard Britnell*, ed. B. Dodds and C. Liddy (Woodbridge, 2011), p. 122.

²⁸ NRO, T/C 1/11.

²⁹ D. Cromarty, 'Chepying Walden 1381–1420: a study from the court rolls', *Essex Journal*, ii (1967), 135–6.

judgment, which somewhat blurs the role of the market court. This may have been due to the nature of the case and whether it involved merchants, or it may have simply acted as a small court intended to initiate business on market day, which could then proceed at the next available manor court.

The basic responsibility of the market courts was the registering of pleas, summoning of defendants, identifying essoins and defaults, and executing judgments. The basic procedures in each of the courts were very similar and a brief overview will suffice here. As with so many local courts, the level of detail in the recorded debt pleas is sparse. We cannot be certain that all the debts were sales credit since a number may have involved wages, rents or simply money loans. However, all the courts are reasonably consistent in identifying individuals as 'mercator', a term that covered a range of trading activities but was, as shall be discussed, an important identifier in allowing them access to merchant law.³⁰ Newmarket and Thetford, in particular, also clearly denoted outsiders and the location of their origin. The amount of business passing through these courts was comparatively modest, from around twenty-five cases per annum for Newmarket and Thetford, sixteen for Heacham, and nine for Bildeston. The number of suits in Hingham's market court noticeably fell during the fifteenth century, from around eighteen a year in the 1420s and 1430s to just four to five in the 1460s, even though the court still met every three to four weeks and handled market infringements. The court sessions at Newmarket and Thetford were the most regular, meeting on average every two to three weeks, though the frequency of courts did vary. Heacham's court met every four to five weeks. Bildeston's market court was obviously struggling, which is probably why it met as a type of adjunct to the manorial court about every eight weeks, and by 1385 the business of debt litigation was fully integrated back into the main court. Most of the debts in the courts were small, largely because this was the scale of the business in these small towns, but also due to a legal restriction since the late thirteenth century which meant that debts over 40s were to be referred to the royal courts.³¹ In Newmarket, the majority of pleas (where monetary values were stated) were over 2s (84 per cent) and a very significant number were over 10s (32 per cent), which equates with Clark's

³⁰ SRO (B), Acc.1476/1/1-48; P. May, 'Newmarket and its market court, 1399-1413', *Proceedings of the Suffolk Institute of Archaeology and History*, xxxv (1981), 31-9, at pp. 31-2.

³¹ J. S. Beckerman, 'The forty-shilling jurisdictional limit in medieval English personal actions', in *Legal History Studies 1972*, ed. D. Jenkins (Cardiff, 1975), pp. 110-17. See also: C. Briggs, 'Seigniorial control of villagers' litigation beyond the manor in later medieval England', *Historical Research*, lxxxi (2008), 399-422, at pp. 416-17.

findings for the small town of Writtle (Essex).³² The average stated values of debt pleas in Bildeston was 46*d* and in Heacham a modest 13*d*, but based on just a handful of cases. The business in these courts was thus variable and the revenue for the lord was sometimes meagre.

The speed at which business passed through the East Anglian market courts was also mixed, with only Newmarket seemingly providing the option of justice within a day. However, most cases in Newmarket were initiated at one court session and a decision about the procedure to be adopted, including licences of concord, was heard at the next court a fortnight or so later. From the initial plea to a final conclusion, the time span varied from six to twenty-one weeks, depending partly upon the number of sessions during that period. However, the majority, even those partly delayed, were completed within three months. Where the court sat less frequently, such as in Bildeston, it was usually a matter of two to three months at the most.³³ All the courts set a limit of three for the number of summonses and fines for non-appearance of a defendant before a decision was made. The court rolls also show that distraint was made both to encourage attendance and, if needed, to compensate the plaintiff. Pledges were needed at various stages of a case, to enable the plaintiff to continue with a suit, to ensure a defendant's appearance, and to provide surety for payments.³⁴ Plaintiffs often required a pledge to initiate a plea so that an amercement could be guaranteed if they lost the case or if they were judged to have brought an unjust plea. Theoretically, the pledge was liable severally for the defaults of those they had pledged for.

The costs of a plea were fairly consistent and not especially excessive, with the plaintiff paying 2–3*d* to initiate a plea, and, unless the claim turned out to be false, the remaining court charges (often 3*d*) fell on the defendant. This was another encouragement for the defendant to settle sooner. The most common result was that the court acted as mediator and permitted a licence of agreement (*licencia concordandi*), suggesting that the court's main role was to encourage parties to come to their own agreement rather than use the full panoply of legal redress. Britnell has suggested that a large proportion of such licences within debt plea business might indicate the

³² Davis, *Medieval Market Morality*, p. 350; Clark, 'Debt', p. 252. The figures from the larger boroughs of Colchester and Exeter were not much higher in that the bulk of debt pleas were valued around 7*s*–12*s* (R. H. Britnell, *Growth and Decline in Colchester, 1300–1525* (Cambridge, 1986), pp. 107–8; M. Kowaleski, *Local Markets and Regional Trade in Medieval Exeter* (Cambridge, 1995), p. 203).

³³ Longleat MS 2881.

³⁴ Kowaleski, *Local Markets*, pp. 208–9.

esteem with which a court is held.³⁵ In Newmarket 35.6 per cent of debt pleas led to a request for a licence, for which the defendant paid 3*d.* If a decision was taken by the Newmarket court, as in 26.8 per cent of debt pleas, it was five times more likely to go in favour of the plaintiff.

This small sample of extant market courts for the highly commercialized region of medieval East Anglia may be a documentary aberration, but the evidence of debt pleas in other borough and manorial courts suggests that not all market holders were prepared to invest in such a forum. Indeed, it could be argued that the provision of market courts in particular small towns was the result of a deliberate policy intended to attract visiting merchants. A market court would ostensibly lower transaction costs and thus attract more traders, though it seems that the actual effect and success of these institutions was variable. Outside East Anglia, a search of the catalogues for medieval court rolls similarly reveals only a handful of *curia mercati* from the late thirteenth to sixteenth century.³⁶ There are thus only glimpses of market courts or similar across England in small market towns and seigniorial boroughs. All the East Anglian examples are from the fourteenth to early sixteenth centuries, which in itself may be significant. It is possible that there were inter-connections between these trading centres and also competition between them. It is important to remember that most small towns drew the majority of their trading links from a hinterland up to 10–12 km away, so the competitive sphere was small and known.³⁷

The economic importance of medieval England's small towns has been increasingly recognized over the past two decades, with notable studies by Rodney Hilton, Chris Dyer and Mark Bailey.³⁸ There were some 600 small towns by the early fourteenth century, characterized by a reasonably diverse level of non-agrarian activity and each with a chartered market. They served

³⁵ Britnell, *Growth*, pp. 206–8

³⁶ For example, Carnarvon (1321–1332): TNA: PRO, SC 2/215/46–7, 53–4; various under the abbot of Ramsey (late 13th century): TNA: PRO, SC 2/178/96–9; Middlewich and Northwich (Cheshire) (1355–1443): TNA: PRO, SC 2/156/2–11; Dumpford (Sussex) (1401–40): TNA: PRO, DL30/126/1870–5; Halton (Cheshire) (1381–1402, 1435–7, 1491–1601): TNA: PRO, DL30/2–14.

³⁷ C. Dyer, 'Market towns and the countryside in late medieval England', *Canadian Journal of History*, xxxi (1996), 17–35, at p. 23.

³⁸ Hilton, 'Low-level urbanization'; M. Bailey, 'A tale of two towns: Buntingford and Standon in the later middle ages', *Journal of Medieval History*, xix (1993), 315–79, at pp. 352–3; R. H. Hilton, 'Medieval market towns and simple commodity production', *Past & Present*, cix (1985), 3–23, at p. 8; C. Dyer, 'Small places with large consequences: the importance of small towns in England, 1000–1540', *Historical Research*, lxxv (2002), 1–24; C. Dyer, 'Small towns 1270–1540', in *Cambridge Urban History of Britain, 1: 600–1540*, ed. D. M. Palliser (Cambridge, 2000), pp. 505–37.

as local centres of exchange and production and many offered specialized services or industries.³⁹ Compared to royal boroughs, most seigniorial boroughs often had little more than burgage tenure, which their lords were able to grant. Although this provided tenants with important economic flexibility, a mesne borough was still ostensibly controlled by the lord's officials. However, the notion that manorialism was inimical to markets has long been rejected, and historians like Richard Goddard have argued that lords might seek to invest in these local enterprises in the hope of a later return.⁴⁰ The average return from the market court sessions in the sample ranged from a few pence to a few shillings. This was not enough to suggest it was a prime factor in the market courts' creation. On average, Newmarket's lord received about £2 per annum (1428–40) from the market court, and this was one of the more successful small town enterprises.⁴¹ Profit may have been a consideration, but such courts should also be regarded as another means of investment by the lord in the market infrastructure, perhaps looking for the associated benefits of attracting and supporting trade. Bailey has also noted that burgesses in these towns could exert significant influence and from the mid fourteenth century there is substantial evidence that tenants were leasing or running the markets and adjunct facilities in many places.⁴² This was beneficial both to the lord, who received a regular fee and released his officials from an administrative burden, and to the burgesses, who could shape their commercial affairs more effectively. Even where there was no formal lease or borough status, some small town communities were able to run most matters, particularly when the lord was an absentee, such as in Newmarket.⁴³

Rodney Hilton once noted that the records of medieval small towns highlighted the need to keep the market in good order, while also ensuring the quality of commodities and payments of debts, but 'on the whole, the impression is they hardly coped'.⁴⁴ This might be the case, but certain places were actively seeking to address these issues. People had choices in their markets to frequent and would have known a certain amount about their restrictions and facilities. Clear regulations and strong procedures for

³⁹ D. Keene, 'Small towns and the metropolis: the experience of medieval England', in *Peasants and Townsmen in Medieval Europe*, ed. J.-M. Duvosquel and E. Thoen (Ghent, 1995), pp. 223–38, at pp. 225–6.

⁴⁰ R. Goddard, 'Small boroughs and the manorial economy: enterprise zones or urban failures?', *Past & Present*, cxc (2011), 3–31. See also Bailey, 'Trade', pp. 196–7.

⁴¹ SRO (B), Acc.1476/12–13.

⁴² Bailey, 'Self-government', pp. 107–28; see also Dyer, 'Small towns', p. 528.

⁴³ Davis, *Medieval Market Morality*, chapter 3.

⁴⁴ R. H. Hilton, *The English Peasantry in the Later Middle Ages* (Oxford, 1975), p. 91.

dealing with debts were vital ways to reduce transaction costs for market users, by providing secure surroundings and legal redress for unpaid debts and broken contracts. Any successful market also had to offer inducements to set against the costs of tolls, regulations, and other restrictions, both for residents and outsiders. Personal trust and reciprocal ties were, of course, also important aspects of credit dealings at this time, but it was still important to safeguard one's interests. Consequently, by providing a specific court on market day the small town authorities were issuing a statement of intent that they were supportive of incoming traders. It exuded a sense that this market had moved beyond village and feudal institutions and could be more flexible in its dealings.

This highlights why certain small places considered it advantageous to establish a separate body for credit disputes. In some ways it is difficult to discern what was starkly different about a market court compared to what could be undertaken in a manor or borough court. However, the title of the court was important since it related to issues of jurisdiction. Market courts were openly advertising their ability to tap into that amorphous body of law known as *lex mercatoria*. This is usually translated as merchant law, but could be equally rendered as 'market law'.⁴⁵ In essence, this was a set of commercial procedures that were important in defining the obligations of sales, debt and contract, as well as outlining a system of speedy, efficient justice that suited the lifestyle of itinerant traders.⁴⁶ Its origins remain somewhat obscure. The procedures of merchant law had developed in a customary manner from the twelfth to thirteenth centuries and there was no precise uniformity in practices. In its main principles it was close to common law; the main differences lay in procedure rather than judgments.⁴⁷

A surviving treatise on *lex mercatoria*, seemingly compiled for use by Bristol's officials in the early fourteenth century as a guide to best practice, reinforces the conception that a forum for adjudicating merchant law was an appurtenance of holding a market:⁴⁸ 'The law merchant is understood to

⁴⁵ S. Alsford, 'Medieval English towns', at <http://users.trytel.com/~tristan/towns/florilegium/eccom_i7.html#pt8b> [accessed 12 Jan. 2015].

⁴⁶ Davis, *Medieval Market Morality*, pp. 207–11. The principles of medieval merchant law was the subject of several studies in the early twentieth century (Gross, *Select Cases I*, pp. xiii–xxxv; H. G. Richardson, 'Law merchant in London in 1292', *English Historical Review*, xxxvii (1922), 242–9; W. Mitchell, *An Essay on the Early History of the Law Merchant* (Cambridge, 1904)).

⁴⁷ *Common and Piepowder Courts*, i. xvii–xviii.

⁴⁸ *The Little Red Book of Bristol*, ed. F. B. Bickley (2 vols., Bristol, 1900), i. 57–85. See also P. R. Teetor, 'England's earliest treatise on the law merchant: the essay on *lex mercatoria* from the Little Red Book of Bristol (circa 1280 AD)', *American Journal of Legal History*, vi (1962), 178–210.

come out of the market ... a market of this kind is held in five places only, to wit, in cities, fairs, seaports, market towns and boroughs,⁴⁹ The treatise is clear on the benefits of merchant law compared to common law, in that it expedited the judicial process by reducing delays and allowing adjournments either hour to hour or market day to market day. As Richard Goddard has noted: 'Credit chains were, potentially, very fragile matrices and this helps explain the need for speedy resolution of debt suits.'⁵⁰ The procedures of common law and royal courts tended to be cumbersome, lengthy and costly, as well as better suited to land disputes than commercial debts. Even in Colchester's borough court, Britnell found that most debt pleas took eight to ten weeks to settle, which was why the burgesses developed a separate court of pleas for litigation.⁵¹ There were other aspects of merchant law that were beneficial. It outlined a system that required no writ for proceedings, allowed few excuses for non-attendance, and facilitated enforcement through the use of distraint.⁵² An important power and attraction of market courts was the right to make distraint of the defendant's goods immediately after a non-appearance, in order to force the unwilling to attend and discourage them from travelling beyond the jurisdiction. Theoretically, distraint ordered by a manorial or seigniorial court was confined to assets within the lord's land,⁵³ which would have handicapped a court's effectiveness when dealing with travelling merchants. Merchant law appears to have allowed the court to seize moveable and personal chattels as an attachment near the start of the process. The defendant would then be called to attend a stated number of times, usually two or three further times each subsequent market day, but sometimes it could be fast-tracked within a single day as in the manner of a fair court. There are fifteen examples between 1399 and 1413 of such an expedited piepowder court in the Newmarket market court.⁵⁴ If the defendant failed to appear, judgment could be made in favour of the plaintiff and the attachment would be sold to pay the debt, having first been valued by appointed assessors. If the defendant did come to court then the onus was on the plaintiff to prove the case, though the means of

⁴⁹ Teetor, 'England's earliest treatise', p. 195.

⁵⁰ R. Goddard, 'Surviving recession: English borough courts and commercial contraction, 1350–1500', in *Survival and Discord in Medieval Society: Essays in Honour of Christopher Dyer*, ed. R. Goddard, J. Langdon and M. Müller (Turnhout, 2010), pp. 69–87.

⁵¹ R. H. Britnell, 'Colchester courts and court records, 1310–1525', *Essex Archaeology and History*, xvii (1986), 133–40.

⁵² Gross, *Select Cases I*, p. xxvi.

⁵³ P. Brand, 'Aspects of the law of debt, 1189–1307', in *Credit and Debt in Medieval England, c.1180–c.1350*, ed. P. R. Schofield and N. J. Mayhew (Oxford, 2001), pp. 19–41. See also Britnell, 'Colchester courts', p. 133.

⁵⁴ SRO (B), Acc. 1476/1/1–48; May, 'Newmarket and its market court', p. 36.

proof better suited itinerant traders. The use of pledges and compurgators could be difficult for foreign merchants, so merchant law allowed more reliance upon witnesses, tallies, and recognizances.⁵⁵ Indeed, a declaration that a contract was subject to merchant law because it had been agreed ‘in the market’ meant that a trader could actively prevent his adversary from ‘waging his law’.⁵⁶

Such merchant law procedures were regularly invoked in royal borough and Staple courts, where high-level mercantile interests were prominent. The increasing importance placed on these procedures can be seen in a statute of 1353, which sought to bolster the legal provision for travelling traders: ‘And because that merchants may not often tarry in one place [to transact commerce], we will and grant that speedy justice be to them done, from day to day and from hour to hour’.⁵⁷ The statute further stated that they should have access to merchant law even outside Staple towns,⁵⁸ which might have proved a spur to small town authorities in providing suitable apparatus. The provision of a market court thus enabled these small towns to emphasize that those using the periodic market could access merchant law and would be judged by other traders (often suitors) who understood the needs of business. In a case recorded in the market court of Hingham, the lord’s bailiff was instructed to find twelve good and true merchants from the neighbourhood to serve on the jurors’ panel.⁵⁹ The Bristol treatise on *lex mercatoria* stated: ‘In all market courts all judgments ought to be rendered by the merchants of that same Court and not by the mayor or steward of the market’.⁶⁰ Thus, unlike a manor court, the tag of a ‘market court’ implied that it was not directly held under the auspices of seigneurial officials, even if the lord ultimately reaped the income and his steward had overall responsibility for executing any judgments with immediacy.⁶¹

The importance of nomenclature was highlighted by Derek Keene in his study of medieval Winchester. This city had a permanent piepowder court from the early fifteenth century, which was distinct from the main city court and dealt with cases concerning non-burgesses.⁶² It increased its business in parallel with significant administrative developments in

⁵⁵ Alsford, ‘Medieval English Towns’.

⁵⁶ Davis, *Medieval Market Morality*, p. 208. See *Borough Customs*, ii. 188–9 (Norwich, 1306–11); *Black Book*, ii. 126–7, c.40 (c.1309).

⁵⁷ *Statutes of the Realm*, i. 340, 27 Edw III st.2 c.19.

⁵⁸ *Statutes of the Realm*, i. 340, 27 Edw III st.2 c.20.

⁵⁹ NRO, KIM 1/6/39.

⁶⁰ Teetor, ‘England’s earliest treatise’, p. 195.

⁶¹ Moore, *Fairs*, pp. 166–8; Jewell, *English Local Administration*, pp. 133–4.

⁶² D. Keene, *Survey of Medieval Winchester* (2 vols., Oxford, 1985), i. 81. See also J. S. Furley, ‘Merchants’ courts at Winchester’, *English Historical Review*, xxxv (1920), 98–103.

the city, with the recorder (a legal adviser) reorganizing the archives and the processes of record-keeping, including the provision of special *recorda* for separate case details. Much of the business of the piepowder court could be handled within a day, and it could be called at any time it was required for the convenience of not just merchants but also other non-resident litigants. What is notable is that the court was careful to designate the origins of litigants as *ville mercatorie*, 'even when they were such manifestly non-mercantile settlements as Chilcomb, Wonston, or Winnall.'⁶³ This designation enabled the parties to be judged under the procedures of merchant law without specifically identifying the individuals as traders (*mercator* or *mercatrix*), which was more usual.⁶⁴ The city was clearly encouraging use of the court, and litigants were attracted not only by the processes of merchant law but also the extra legal provisions put in place by the recorder. Caroline Barron has examined another related action that took place in London in the late fourteenth century, when cases concerning merchant law were transferred from the sheriffs' courts to the mayor's court 'before the mayor and aldermen having knowledge of the law merchant'.⁶⁵ It was paramount that there was confidence in the application of merchant law and the knowledge of those judging cases. Barron also argued that it was not just the speed of merchant law procedures that appealed but also the relative privacy of the court, which might help protect the reputation of the merchants involved. Whereas the ordinary business of the court took place in the more open outer chamber of the Guildhall, merchant law cases withdrew into the inner chamber.⁶⁶

It could be argued that the appearance of specific market courts in many small towns after the Black Death was a small-scale version of what was happening in Winchester and London. They hoped to attract outside litigation for its own income and also any further business the suitors might bring with them. At a lower level, Chris Briggs has noted that 'English villagers required access to courts that allowed them to enforce obligations using formal legal means' and they thus sometimes travelled beyond their lord's jurisdiction 'to sue in one's choice of court'.⁶⁷ This choice would be informed by the costs and logistics involved, but also the attractiveness and competency of the courts on offer. Market courts thus might include civil

⁶³ Keene, *Survey of Medieval Winchester*, i. 81.

⁶⁴ Keene, *Survey of Medieval Winchester*, i. 388.

⁶⁵ C. M. Barron, *London in the Middle Ages: Government and People, 1200–1500* (Oxford, 2004), p. 60; *Calendar of the Plea and Memoranda Rolls of the City of London, Volume 3: 1381–1412*, ed. A. H. Thomas (1932), p. xiv.

⁶⁶ Barron, *London in the Middle Ages*, pp. 154–5.

⁶⁷ Briggs, 'Seigniorial control of villagers' litigation', pp. 420–2.

pleas between two outsiders, even though theoretically the business of the court should only relate to actions in its own market. It is noticeable that the Suffolk and Norfolk market court rolls often identify one or both of the suitors as 'mercator' since this is obviously considered by the clerk to be a prerequisite for the use of merchant law. However, there were often resident suitors who were not merchants. Such ambiguity may be explained by *lex mercatoria*, which stated that 'the common law and also the law of the market suppose all feoffees and residents in markets or market towns to be merchants, even though they do not merchandise'.⁶⁸

Most small debts were handled effectively in local courts.⁶⁹ However, it should be noted that these courts could not offer formal enrolment of debts. The thirteenth-century legislation of Statute Merchant or Statute Staple only allowed recognizances to be made before the mayor of London, York, Bristol and 'other good towns', the record of which was copied to the creditor. Default could lead to urban officials intervening through the imprisonment of the debtor and immediate distraint of assets, both made under the king's seal. This further allowed a certificate of debt to be deposited in chancery and thus the pursuit of the debtor throughout the kingdom.⁷⁰ However, this was a facility reserved to certain boroughs and it was also more suited to higher-value debts.⁷¹ It has been argued that some forms of debt plea in local courts may have constituted a type of quasi-recognizance (in the form 'pro recognicione', 'cognoscit' or 'ponit se' form) at the initial stage of credit.⁷² As Britnell noted, these by-products

⁶⁸ Teetor, 'England's earliest treatise', p. 197. See also Hall, *Select Cases II*, pp. lxix, 103–6.

⁶⁹ *Calendar of the Court Books of the Borough of Witney 1538–1610*, ed. J. L. Bolton and M. M. Maslen (Oxford, 1985), pp. xvi, xxxv.

⁷⁰ Statute of Acton Burnell (1283) and Statute de Mercatoribus (1285), *Statutes of the Realm*, i. 53–4, 11 Edw I, pp. 98–100, 13 Edw I. See also Carta Mercatoria (1303) in N. S. B. Gras, *The Early English Customs System* (1918), pp. 259–64 and *Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum, et Liber Horn*, ed. H. T. Riley (3 vols., London 1859), i. 205–11; J. I. Kermode, 'Money and credit in the fifteenth century: some lessons from Yorkshire', *Business History Review*, lxxv (1991), 484–94; J. H. Munro, 'The international law merchant and the evolution of negotiable credit in late medieval England and the Low Countries', in *Banchi Pubblici, Banchi Privati e monti di pietà nell' Europa preindustriale*, ed. D. Puncuh and G. Felloni (Genoa, 1991), pp. 49–80; Barron, *London in the Middle Ages*, pp. 60–3.

⁷¹ For example, J. I. Kermode, 'The trade of late medieval Chester, 1500–1550', in *Progress and Problems in Medieval England: Essays in Honour of Edward Miller*, ed. R. H. Britnell and J. Hatcher (Cambridge, 1996), pp. 286–307, at p. 298. See also Kermode, 'Money and credit', pp. 484–8; J. I. Kermode, 'Medieval indebtedness: the region versus London', in *England in the Fifteenth Century: Proceedings of the 1992 Harlaxton Symposium*, ed. N. Rogers (Stamford, 1994), pp. 72–88, at p. 80; J. L. Bolton, 'Was there a "crisis of credit" in fifteenth-century England?', *British Numismatic Journal*, lxxxii (2011), 144–64, at pp. 153–4.

⁷² Schofield, 'L'endettement', pp. 74–5; Clark, 'Debt', p. 255.

of court recordings 'put beyond question the plaintiff's right to recover the disputed sum'.⁷³ *Lex mercatoria*, which appears to rehearse a set of common practices, states that 'it is ordained that clerks of markets deliver transcripts of pleas to all and singular who plead in those markets if they ask for this; and always they are to have of them one penny for 10 lines'. Such penny transcripts were to include the sign and name of the clerk and rolls kept 'so that others may not be able to deny such delivery'.⁷⁴ If this was standard practice in market courts, then, even though they were not courts of record, such a transcript from the court roll could act as evidence of a recognized debt and the debtor's liability. In relation to this, it is even possible that some *licencia concordandi* were legal fictions designed to record the debtor's acknowledgement of the debt, rather than actual out-of-court settlements resulting from disputes, but this remains speculation.⁷⁵ Indeed, Phillip Schofield and Nicholas Mayhew both argue that the majority of debt pleas were recorded in court rolls at the stage of recovery not inception.⁷⁶

Similarly, it is possible that market courts effectively policed the separate unsealed bills or letters of obligation that Bolton argues were increasingly popular among traders from the late fourteenth century and were drawn up informally between parties.⁷⁷ They could be sued in any local court, whereas these courts theoretically did not have the authority to consider cases involving sealed writings as proof (a bond or specialty), which was one reason why higher-value debts went to the king's courts.⁷⁸ Bolton asserts that courts that acted under merchant law could protect the assignment of written bonds,⁷⁹ which again would have made designated market courts more attractive and flexible than other local courts where debts were pleaded. However, there is no explicit mention of these in the court rolls sampled.

All of the sampled market courts were established within a post-Black Death commercial environment that was highly competitive for medium-sized markets. Alongside population decline and then stagnation, there was a massive fall in aggregate demand and agrarian contraction, which

⁷³ Britnell, *Growth*, p. 105.

⁷⁴ Teetor, 'England's earliest treatise', pp. 201, 202–3.

⁷⁵ *Common and Piepowder Courts*, i. xxxiii–xxxiv.

⁷⁶ P. Schofield, 'Credit, crisis and the money supply, c.1280–1330', in *Money, Prices and Wages: Essays in Honour of Professor Nicholas Mayhew*, ed. M. Allen and D'M. Coffman (Basingstoke, 2015), pp. 94–108, at pp. 94–5.

⁷⁷ Bolton, 'Was there a crisis', pp. 155–62; M. M. Postan, *Medieval Trade and Finance* (Cambridge, 1973), pp. 29–35.

⁷⁸ Briggs, 'Seigniorial control of villagers' litigation', pp. 416–17; A. Kiralfy, 'Custom in mediaeval English law', *Journal of Legal History*, ix (1988), 26–39, at p. 35.

⁷⁹ Bolton, 'Was there a crisis', pp. 155–6; Munro, 'International law merchant', pp. 63–71.

undoubtedly contributed to the difficulties faced by many towns during the late fourteenth and fifteenth centuries.⁸⁰ To a certain extent, market towns weathered the post-Black Death economic environment well in comparison to village markets or even some larger boroughs.⁸¹ They were able to meet the growing demand for certain consumables and peasants were seemingly prepared to travel further. Nevertheless, the aggregate volume of trade had fallen and most small towns saw a decline in their income over the course of the fifteenth century. As Mark Bailey has highlighted, Standon's income from the borough court fell by 60 per cent from its pre-Black Death peak, Newmarket's market income declined by 70 per cent between the 1400s and 1480s, and Mildenhall saw a loss of leased stalls from twelve in the early fifteenth century to just two by the 1460s.⁸² Balanced against these negative conditions, there were transactions in certain consumer goods that appear to have increased, and this is particularly pertinent for East Anglia where there was a burgeoning local cloth trade, which demonstrated a significant dependence upon credit among its merchants.⁸³

In general, contracting trade was an important factor in reducing credit usage.⁸⁴ However, monetary problems and coin shortages also contributed to the depression of demand during the mid fifteenth-century slump, as people reduced spending and hoarded coin. Historians have highlighted how England's monetary stock fell from the 1360s onwards, with bouts of significant silver bullion shortages from the 1390s until the 1460s.⁸⁵ This all led to a scarcity of silver coin and small change for everyday transactions. Allen argues that *per caput* the silver money supply fell from 5–7s in 1351 to 1–2s in 1422, before a moderate recovery over the following decades.⁸⁶

⁸⁰ J. Hatcher, 'The great slump of the mid-fifteenth century', in Britnell and Hatcher, *Progress and Problems*, pp. 237–72; see also P. Nightingale, 'England and the European depression of the mid-fifteenth century', *Journal of European Economic History*, xxvi (1997), 631–56; Nightingale, 'Monetary contraction', pp. 560–75.

⁸¹ R. H. Britnell, 'The economy of British towns, 1300–1540', in Palliser, *Cambridge Urban History*, p. 315.

⁸² Bailey, 'Trade', p. 207.

⁸³ Britnell, 'Economy', pp. 324–5.

⁸⁴ Kermode, 'Medieval indebtedness', p. 81.

⁸⁵ J. Day, 'The great bullion famine of the fifteenth century', *Past & Present*, lxxix (1978), 3–54; P. Spufford, *Money and its Use in Medieval Europe* (Cambridge, 1988), pp. 339–62; Bolton, 'Was there a crisis', pp. 145–9; J. L. Bolton, 'What is money? What is a money economy? When did a money economy emerge in medieval England?', in *Medieval Money Matters*, ed. D. Wood (Oxford, 2004), pp. 1–15, at pp. 3–12. Figures that include gold coinage show a similar pattern, but a greater amount available per head. However, it was silver that was predominantly used in local trade.

⁸⁶ M. Allen, 'The volume of the English currency, 1158–1470', *Economic History Review*, liv (2001), 595–611, at pp. 606–7.

Contemporaries commented upon this stark shortfall, and we also see growing problems with clipping of coins.⁸⁷ One prominent issue debated by historians such as Jim Bolton and Pamela Nightingale is whether the flow of credit could alleviate a severe contraction in the money supply.⁸⁸ Nightingale has argued that credit could not compensate for a pronounced fall in currency and, indeed, was itself influenced by coin shortages. In her model, credit rises and falls in line with the money supply, with trends largely predicated upon market confidence, and at times of bullion famine the ability to provide credit was concentrated in fewer hands.⁸⁹ At times of coin shortages, merchant lenders might consider that there was a greater risk of default by debtors, thus reducing their investment in industry and commerce.⁹⁰ The evidence of Statute Staple recognizances supports Nightingale's argument. However, most research has concentrated on the upper echelons of mercantile credit in the central or large borough courts, or else on the rural courts where consumption loans were prominent, with little work on the sales credit available in the vast array of smaller markets. It is in institutions such as local market courts where we might find a new perspective and which therefore need more research.⁹¹ Were these institutions an attempt, whether successful or not, to compensate for shortages of coin by alleviating the risks of credit? At the pettiest level of sales credit, many traders appear to have acted both as creditors and debtors, and there is evidence for running accounts, reciprocal dealings and a 'complex of claims and counter-claims'.⁹² This short chapter cannot fully answer this complex question, but one has to ask whether small town authorities were trying to temper the risk for commercial lenders by providing better institutions for credit and its enforcement.⁹³

Alternatively, perhaps the use of market courts was first reinvigorated in the few decades after the Black Death when there appears to have been resurgence in retail activity, perhaps spurred by heightened wages.⁹⁴ John Hatcher and Mark Bailey suggested that the 'effect of a scarcity of coin in an economy which is otherwise thriving would be an increase in barter and credit in order to meet the needs of eager buyers and sellers short of ready

⁸⁷ M. Allen, *Mints and Money in Medieval England* (Cambridge, 2012), pp. 360–7.

⁸⁸ Bolton, 'Was there a crisis', pp. 153–4; Kermode, 'Medieval indebtedness', p. 72.

⁸⁹ Nightingale, 'Monetary contraction'.

⁹⁰ P. Nightingale, 'Money and credit in the economy of late medieval England', in Wood, *Medieval Money Matters*, pp. 51–71.

⁹¹ Dyer, 'Small towns', pp. 521–2, 528; Clark, 'Debt'.

⁹² Britnell, *Growth*, pp. 98–108.

⁹³ Kowaleski, *Local Markets*, p. 202.

⁹⁴ J. Davis, 'Selling food and drink after the Black Death', in *Town and Countryside in the Age of the Black Death*, ed. M. Bailey and S. Rigby (Turnhout, 2012), pp. 351–406.

cash'.⁹⁵ This might account for the rise in debt pleas from the 1350s to 1380s in places such as Colchester, Winchester, Exeter, Nottingham, Thornbury, Ramsey, Clare and Sudbury.⁹⁶ It was only after the 1390s, when monetary problems became stark and commerce contracted, that traders demanded cash rather than extending credit.⁹⁷ As Richard Goddard has highlighted, there was a short-lived period of economic vitality in the late fourteenth century, and some attempts to innovate in court procedures, but this gave way to commercial contraction and local court decline, particularly from the 1420s. In Colchester, Winchester, Coventry and Nottingham, debt litigation declined in the fifteenth century as economic depression took hold.⁹⁸ For many manorial or mesne borough courts, the fifteenth century also saw a steady decline in petty pleas and the use of pledging, as seen in Clare, Sudbury and Willingham.⁹⁹ Havering suffered a significant mid fifteenth-century fall in its court pleas, but there was an increase from the 1460s after new administrative liberties were introduced.¹⁰⁰ On this basis, McIntosh argues that if there was a potential volume of pleas and the courts appeared efficient, then tenants would still use them. However, there is little evidence that the small market courts in this sample met this condition, with even the more substantial market court at Newmarket facing problems of declining income and frequency by the mid fifteenth century. The ambition behind establishing a market court did not necessarily match the amount of business it handled, and a number of market courts, such as at Bildeston, appear to have been transient ventures with the business of credit eventually absorbed back into the manorial or borough court.

Credit oiled the wheels of trade, and market courts dealt in small-scale sales debts that were integral to local retail and wholesale commerce. A market court ostensibly lowered transaction costs and thus attracted more traders by aiding a perception of the market as 'fair, affordable, efficient'.¹⁰¹ Any advantage over one's market neighbours was perhaps grasped by the

⁹⁵ J. Hatcher and M. Bailey, *Modelling the Middle Ages: the History and Theory of England's Economic Development* (Oxford, 2001), pp. 190–1.

⁹⁶ Britnell, *Growth*, pp. 98–108, 206–7; Kowaleski, *Local Markets*, pp. 202–3; Goddard, 'Surviving', pp. 79–82.

⁹⁷ Britnell, *Growth*, pp. 206–8.

⁹⁸ Goddard, 'Surviving', pp. 69–87.

⁹⁹ Britnell, *Growth*, pp. 189–90; C. Briggs, 'The availability of credit in the English countryside, 1400–1480', *Agricultural History Review*, lvi (2008), 1–24, at pp. 11–24; Briggs, 'Seigniorial control of villagers' litigation', pp. 421–2.

¹⁰⁰ M. K. McIntosh, *Autonomy and Community: the Royal Manor of Havering, 1200–1500* (Cambridge, 1986), p. 244.

¹⁰¹ M. Bailey, *Medieval Suffolk: an Economic and Social History, 1200–1500* (Woodbridge, 2007), pp. 142–3.

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lord and residents in order to stimulate some growth. It may be that this new infrastructure was often more about perception than tangible benefits, but there were advantages to the specified use of merchant law and it is likely that such facilities were part of a conscious policy to enhance the town's prosperity. However, it seems that the success of these institutions was variable. The evidence seems to suggest that most were short-lived institutions, even in the small towns where court rolls survive. They were intended to engender confidence among traders, but the impression so far is that such local institutions were better suited to a context of commercial growth than to periods of economic depression and shortages of coin.

VI. Merchants and the law

15. Merchants and their use of the action of account in thirteenth- and early fourteenth-century England

Paul Brand

The action of account, as we see it in the common law courts in thirteenth- and early fourteenth-century England, was a form of legal action brought by a principal against an agent to get him to render a proper, full and final account for the period during which he had acted as the principal's agent. In the first stage of such an action the principal or his legal representative obtained an original writ of account from chancery and sued mesne process against the agent to ensure his appearance in court to acknowledge that he had indeed acted as his agent, as the principal had asserted in the original writ and again, but with fuller details, in the count which he or his lawyer had made in court, and that he had not as yet rendered a final account, or to deny one or both of those claims but with the principal being given the chance to prove his initial assertions by jury verdict. A second stage followed once the agent had acknowledged his agency and responsibility or a jury verdict had established them, and thus the agent's liability to account. Prior to *c.*1270 the normal procedure seems to have been for the agent to be given a specific day to account with the principal out of court, but with no further adjournment of the main case in the court.¹ Thereafter, the rendering of the account seems to have become something which normally took place under the auspices of the court, with auditors of the account being assigned by the court or chosen by, or with the consent of, the parties, and with a remit to hear the account prior to a specified date.² The auditors then established how much the agent owed the principal (or vice versa),

¹ For examples, see TNA: PRO, JUST 1/615, m. 39d (before the sheriff of Northamptonshire on the Sunday after the next county court session) [1253 Northants eyre]; TNA: PRO, JUST 1/911, m. 9d (at Tottenham court at the octaves of the Purification) [1261 Sussex session of the special eyre of the justiciar Hugh le Despenser]; TNA: PRO, JUST 1/912A, m. 18d (on the morrow of the Epiphany at Shoreham) [1263 Sussex eyre]; TNA: PRO, JUST 1/912A, m. 17 (on the Sunday after Epiphany at Wilting) [same]. But for a common bench case of Easter term 1262 where the parties were adjourned to a later day in the same court for the account to be heard, see TNA: PRO, KB 26/166, m. 17.

² P. Brand, 'The equity of the common law courts', in *Law and Equity: Approaches in Roman Law and Common Law*, ed. E. Koops and W. J. Zwilve (Leiden, 2014), pp. 39–53, at pp. 49–50.

with this being reported back to the court on the day to which the case had been adjourned.³ At this third stage of the case the court adjudged that the agent was to satisfy the principal for the sum concerned and, if unable to do so at once, was committed to official custody until payment was made.⁴

The evidence suggests that prior to the last quarter of the thirteenth century the action of account could normally be brought only against an agent who was described as the principal's 'bailiff'. This term seems not to have had any more specific meaning than that of someone entrusted with property belonging to another, but the paradigm case seems to have been seen as being that of a person in charge of a manor or group of manors or other agricultural land, and overseeing the direct exploitation of a seignorial demesne (the growing and harvesting of cereals and legumes and the subsequent sale of the crop or its transfer to the lord's household for domestic use; the husbandry of animals on the demesne and the common pasture of the village to provide meat, dairy products, wool and animals for working the arable lands and for sale) and with receiving rents and other income from the lord's manorial tenants, whether free or unfree. This is also the meaning it seems to bear in most of the early cases. There are not many of these, although the action itself is first found on the rolls of the king's courts before 1200.⁵ This may be because during the period down to the later years of the reign of Henry III the only form of writ of account available from the king's chancery was one which started the action in the county court. Most actions seem to have been heard and determined there without ever being removed into one of the central royal courts, although the writ *pone* was available to do this if required. By the end of the reign of Henry III a returnable writ of account, initiating litigation directly in one of the king's courts (generally the common bench), had come into existence.⁶ The creation of this returnable writ may in part explain why

³ The new procedure is clearly visible in a Sussex case in the 1272 Hampshire eyre where the justices assigned Jordan of Daventry and Guy of Taunton to hear the account (apparently on the Friday after the octaves of Hilary): TNA: PRO, JUST 1/779B, m. 1d.

⁴ The earliest case in which this stage is visible is the Sussex case heard in the 1272 Hampshire eyre (in the preceding note) where the agent was committed to custody till he had satisfied his principal for £5 but was given a respite for almost a year on a similar sum on which he had evidently suggested that he would be able to obtain an acquittance from the principal.

⁵ For early cases, see P. Brand, *Kings, Barons and Justices: the Making and Enforcement of Legislation in Thirteenth-Century England* (Cambridge, 2003), p. 65 nn. 96, 97.

⁶ The returnable writ is included in the Luffield Register (CC) (see *Early Register of Writs*, ed. E. de Haas and G. D. G. Hall (Selden Society, lxxxvii, 1970), CC 121 (p. 69)). A note of c.1300 indicates that a payment is required for the writ returnable to the common bench (*Early Register*, p. xxviii). Also returnable was the writ of *monstravit de compoto* created under

actions of account are much more commonly found in the records of the king's courts from this time onwards. It is also from shortly before the end of Henry III's reign that there comes the first direct evidence on a common bench plea roll of the use of the action of account by a merchant. In 1262 the Yorkshire merchant Martin of Ottringham sued Stephen of Woodgate for an account of the four-year period prior to 1258 he had been his 'bailiff' in the towns of York and Pontefract. Stephen had clearly been engaged in commercial activity in these two towns on Martin's behalf. Martin's count claimed that he had entrusted Stephen with 200 marks (£133 6s 8d), to purchase merchandise for his benefit (*ad marchandisas emendas ad opus ipsius Martini*) plus woad, wax, alum and cloth to the value of 1,000 marks (£666 13s 4d) to sell, and had also entrusted him with two shops (*seldas*) in the two towns, evidently in order to carry on business in them. Stephen denied he had ever been his bailiff in these two towns and tried to deny it by wager of law. Martin offered twenty shillings for a jury. Judgment on this was adjourned and the case then disappears.⁷

This is an early forerunner of a series of cases brought later in the century by principals who seem to have been merchants against agents who are described in litigation as their 'bailiffs' but whose activities seem to have been confined to specific towns and who were engaged in retail and/or wholesale trade on behalf of the merchants concerned. In seven of these cases heard in the common bench between 1289 and 1294 the trade was in wine.⁸ Only one of these plaintiffs specifically described himself as a merchant (John of Lidgate merchant) but another two called themselves 'spicer' (Robert Spicer of Gloucester and Richard Spicer of Oxford) and one

the provisions of clause 19 of the 1259 Provisions of Westminster but available only against bailiffs who possessed no lands and tenements (see Brand, *Kings, Barons and Justices*, pp. 65–6, 117–19).

⁷ TNA: PRO, KB 26/166, m. 26d [Easter 1262] (and for earlier process on what seems to be the same case, see TNA: PRO, KB 26/162, m. 33 [Hilary 1259]; TNA: PRO, KB 26/164, m. 33 [Hilary 1260]). Around the same time Martin was also seeking an account from a second agent (John Hardlock) for the time he had been his bailiff in the Yorkshire towns of Hedon and Pontefract, but only procedural stages of this litigation have been found (see TNA: PRO, KB 26/171, m. 66 [Michaelmas 1261]; /166, m. 33d [Easter 1262]; /172, m. 26 [Easter 1263]).

⁸ These cases are: (i) *Robert of Catworth v. William son of Hugh le Veise*: TNA: PRO, CP 40/76, m. 35d [Hilary 1289]; (ii) *John of Lidgate merchant v. John Hikebrid of London*: TNA: PRO, CP 40/81, m. 15 [Hilary 1290]; (iii) *John Hurel v. Roger son of Silvote of Chelmsford*: TNA: PRO, CP 40/96, m. 198d [Michaelmas 1292]; (iv) *Ralph Tailor of Reading v. John Maunt*: TNA: PRO, CP 40/96, m. 64 [Michaelmas 1292]; (v) *Robert Spicer of Gloucester v. Robert of Wysham*: TNA: PRO, CP 40/105, m. 80 [Trinity 1294]; (vi) *Richard Spicer of Oxford v. John of Boxore junior*: TNA: PRO, CP 40/105, m. 121d; [Trinity 1294] (vii) *William of Bicknor of Huntingdon v. John Bagard*: TNA: PRO, CP 40/106, m. 82 [Michaelmas 1294].

a 'tailor' (Ralph Tailor of Reading). The quantities of wine involved seem to indicate that the plaintiffs were involved in the wine trade as wholesale wine merchants.⁹ The 'service' of these 'bailiffs' was in seven different towns in southern England and the south midlands.¹⁰ Two were specifically described in the plaintiffs' counts not just as bailiffs but also as 'taverners'. Probably all were running taverns, though it is difficult to know whether they simply sold wine retail for consumption there or also wholesale for consumption elsewhere.¹¹ In a single case of 1289–90 the defendant (Roger of Mapledurham) was sued as having been the 'bailiff' of the plaintiff (Adam Pykeman) in Abingdon and Oxford. The count reveals that what he had received was fish (salmon, stockfish and herring) to the value of a little over £71. Roger not only denied having been Adam's bailiff but also ever having received money on his behalf. He claimed to have done no more than provide him with 'assistance and advice' (*auxilians et consulens*) in the buying and selling of fish. The jury found, however, that Roger had been responsible for shipping the fish from London to Abingdon and receiving payment there. When the account was rendered it emerged that Adam had delivered the fish to Roger in London in the parish of St. Botolph [Billingsgate] on several different occasions and that the fish had then been transported to Abingdon in the boats of third parties.¹² It seems possible that Roger was in Adam's service but more likely that these were in effect sales on credit for which Adam was seeking payment through the flexible form of the action of account. In two cases of 1287 and 1297 plaintiffs charged their 'bailiffs' (in London and Northampton respectively) with responsibility for various spices (ginger, zedoary, mace and other spices to the value of £20 in one case; wax, almonds and various spices to the value of £20 in the other). In the 1297 case at least it is clear from what is said that the plaintiff was asserting that the defendant had been in his service for a year and had been selling the goods during that period.¹³ In a 1288 case the goods belonging to William of Ware of which William of Fulborne was said to have had

⁹ Forty barrels of wine worth 100 marks; wine to the value of £20; 19 barrels of wine worth 52s each; 19 barrels and one pipe of wine; 6 barrels; 3 barrels of wine worth £7 and 6s; 5 barrels of wine.

¹⁰ Northampton, Coventry, London, Reading, Gloucester, Oxford and Huntingdon. In only one case is the 'bailiff' also specifically described as having been in the plaintiff's service: see n. 8 (iii).

¹¹ The cases where the agent is described as a taverner are n. 8 (iii), (iv). In (vii) the agent was also entrusted with two silver cups, perhaps most useful in a tavern.

¹² TNA: PRO, CP 40/79, m. 17 [Trinity 1289]; /83, m. 168d [Trinity 1290].

¹³ *Walter Brounyng v. Peter Gofeyr*: TNA: PRO, CP 40/69, m. 136 [Michaelmas 1287]; *Ralph of Horton v. John son of Simon of Woolaston*: TNA: PRO, CP 40/119, m. 119d [Trinity 1297].

administration (in 1286) in the town of Ipswich were iron and steel to the value of over £22. Again it seems likely, but not certain, that he had been entrusted with them to trade, though possible that they might have been goods sold on credit.¹⁴

In four other cases heard in the common bench between 1285 and 1294 the 'bailiffs' concerned were all charged with accountability for a wider range of merchandise: cloth, spices, wool and other goods worth £40 in Louth during a four-year period over ten years earlier;¹⁵ wine, herrings and other merchandise at Great Yarmouth;¹⁶ drugs? (*apothecaria*), wines, drapery and other merchandise over a year and a half in Oxford;¹⁷ canvas, linen cloth, woollen shoes and wool to the value of £40 over a four-year period in Stamford.¹⁸ There is a report of the 1292 Oxford case. From the heading to the report and some of the dialogue in it we learn that the defendant had been the servant (*garson*) of the plaintiff and a member of his household (his 'mainpast').¹⁹ There is also another pair of cases (of 1291 and 1305) from maritime Norfolk where the defendant is sued as a 'bailiff' but the plaintiff seems to have been seeking an account for the profits of trade. In the 1291 case the defendant was sued as bailiff in Burnham and asked to account for two years in charge of a ship with all its equipment worth £20 and fish and herrings in it to the value of £100. The jury confirmed that the ship had indeed been handed over to the defendant 'to control as master of the said ship' (*gubernandum tanquam rector navis predicte*). Not quite a mercantile trading venture one might think, but that would be to ignore the fact that the plaintiff in the case described himself as Nigel of Deepdale (Burnham Deepdale) 'merchant'.²⁰ In the second case the defendant was sued for an account for the period he had been the plaintiff's bailiff in Holkham. The count again revealed that what the plaintiff was seeking was an account for two years in charge of a ship in 1301–3 with the 'administration' of fish and other things carried in the ship and offered for sale by land and sea to the value of £60.²¹

¹⁴ TNA: PRO, CP 40/75, m. 43 [Michaelmas 1288].

¹⁵ *Richard de Percy v. Hugh le Blount of Louth*: TNA: PRO, CP 40/59, m. 56d [Trinity 1285].

¹⁶ *John Halvergate v. Robert of Pakenham*: TNA: PRO, CP 40/91, m. 37d [Michaelmas 1291]. Robert claimed he had already rendered account before a group of six men who included three taverners.

¹⁷ *William Spicer v. Simon Baret*: TNA: PRO, CP 40/93, m. 1 [Easter 1292]. Simon claimed to have been only a taverner for the selling of wines and he had already accounted.

¹⁸ *Hamon of Cretford v. John of Whaplode*: TNA: PRO, CP 40/105, m. 39d [Trinity 1294].

¹⁹ The report is in BL MS. Harley 2183, fo. 111r–v.

²⁰ *Nigel of Deepdale merchant v. Reginald son of Agnes of Burnham*: TNA: PRO, CP 40/90, m. 79 [Trinity 1291].

²¹ *Gilbert Silke of Holkham v. John Charles junior*: TNA: PRO, CP 40/156, m. 2 [Trinity

Beginning in the late 1270s the king's chancery began offering a variant form of the standard writ of account which looked more obviously appropriate to merchants. In this the defendant was described as being not a 'bailiff' but a 'receiver of moneys'. The earliest form made available seems to have been one intended for use as between merchants who were in some form of partnership. In it the defendant was described as the 'receiver of the moneys' of both the plaintiff and the defendant 'from whatever cause and contract to the common benefit' (*ex quacumque causa et contractu ad communem utilitatem ... proveniencium*). The earliest writs of this kind are found in enrolled procedural stages of cases in the common bench in 1277, 1278 and 1280 but in none of them did the case reach pleading.²² The earliest pleaded case seems to be one heard in the 1288 Sussex eyre. In it (and almost certainly also in the writ on which it was based) both parties were identified as merchants. John Spicer of Leominster claimed that he had entrusted Walter of Leicester of Chichester with 100s and Walter had put in 44s of his own. The money was said to have been for Walter to trade to their common profit (*ad negociandum de eisdem denariis ad communem utilitatem*) but no further details were given of when or of what kind of trading was involved. Walter's defence mentioned a subsequent venture when he had entrusted John with one hundred shillings to go to Ireland to trade for their common benefit. He alleged that John had spent all the money but produced no profit, and there had been a subsequent accounting before auditors chosen by both men which had covered both these partnerships.²³ In later cases of this kind where one or both parties are identified as merchants there is a little more detail. In a common bench case of Michaelmas term 1293 John of Lidgate merchant (already encountered) sued Gregory of Melbourne for an account and said that he had entrusted him with 10 marks (£6 13s 4d) on two separate occasions in late 1290 and early 1291 at Northampton and Coventry 'to profit and trade for the common benefit' (*ad proficiendum*

1305]. He also brought a similar action against him for an account of his time as a 'receiver of money': see TNA: PRO, CP 40/156, m. 24.

²² The cases are: (i) *Alexander Spilesman of Mursley v. Richard fitz Robert*: TNA: PRO, CP 40/21, m. 22 [Michaelmas 1277]; 122, m. 40d [Hilary 1278]; (ii) *Gilbert of Blyth v. Ralph of Laxington*: TNA: PRO, CP 40/26, m. 44d [Michaelmas 1278]; (iii) *Peter Cokenay v. Geoffrey son of Richard of Dunmow*: TNA: PRO, CP 40/32, m. 22d; 134, m. 68d [Hilary and Trinity 1280]. The *justicies* version of the same writ to initiate litigation in the county court specifically referred to the case being determined by the law merchant (*sicut per legem mercatoriam rationabiliter monstrare poterit etc.*) (see *Fleta*, ed. H. G. Richardson and G. O. Sayles (Selden Society, lxxii, 1953), ii. 235–6; BL MS. Harley 748, fo. 22v; Cambridge University Library MS Additional 3022, fo. 25v).

²³ Printed in *Select Cases Concerning the Law Merchant AD 1270–1638, II: Central Courts*, ed. H. Hall (Selden Society, xlvi, 1930), pp. 45–6.

et marcandizandum ... ad communem utilitatem ...). That they were both merchants is suggested by Gregory's defence which (while denying receiving one of the sums) said in respect of the other that he had always been ready to account 'according to law merchant' (*secundum legem mercatoriam*).²⁴ The most explicit of these cases was one heard in Michaelmas term 1306 between two merchants of King's Lynn. William of Hardwick alleged he had entrusted Richard of Aldburgh with £20 in King's Lynn early in 1304 to trade in herrings, wool and cloth and other merchandise to their common profit during the following year. Richard denied this was the case. He said that they had both contributed £10 to the common stock and that their agreement was that they should participate equally in profit and loss and whatever happened (*ita quod pares essent in lucro et dampno et quod a casu evenisset etc.*). He had laden a ship with herring purchased at Lynn to take for sale in Hull and both ship and cargo had been lost in a storm at sea. Since under the contract they had agreed to be jointly responsible for damage and loss as well as any profit (*standi tam periculo et dampno etc. quam lucro si quod etc.*) he asked for judgment of William's claim. In response William not only continued to insist that he had contributed the full £20 to the partnership but also that their agreement had been that Richard should trade only within the town of King's Lynn. A *nisi prius* verdict before the common bench justice William Howard, a local man, at King's Lynn in 1307 found that Richard had indeed only received £10 but that it was only to trade within Lynn and that he was to account for the money entrusted and the profit from it (*lucro inde proveniente*) at the end of the year.²⁵

In several other cases it is unclear whether the plaintiff is a merchant or just a layman investing in trading by the defendant. Take for example the 1293 case where Robert of Bergholt claimed he had handed over £10 to Walter Story of Chertsey at Staines in Middlesex on a specific day in 1290 to trade in merchandise (*ad negociandum in merchandisis*) for their common benefit. Walter claimed it was a smaller sum (60s) which had been handed over across the river in Egham, but only to purchase wood, and that he had already accounted for that.²⁶ Or take the 1294 case where William de Molyns claimed he had handed over £85 15s 8d to Peter of Winchester at Worcester at Michaelmas 1292 to trade for their common profit till the following Easter, but Peter denied he had received any of the money or was accountable for trading with it.²⁷ Or the 1304 case where the executors of Osbert of Crowthorpe sued Thomas Auvrey for an account of the £80

²⁴ TNA: PRO, CP 40/102, m. 84.

²⁵ TNA: PRO, CP 40/161, m. 65.

²⁶ TNA: PRO, CP 40/98, m. 94.

²⁷ TNA: PRO, CP 40/105, m. 88.

Osbert had handed over in Northampton on a specific day to trade and make a profit (*ad marcandizandum et ad proficuum suum inde faciendum*) during the following six months, on condition that Thomas was entitled to one third of the profit.²⁸

At around the same time in the late 1270s chancery also began to offer a variant on the 'receiver of moneys' writ of account to cover the situation where merchandise and/or money had been entrusted to an agent apparently for trading solely for the benefit of the principal.²⁹ The earliest pleaded case where such a writ was used seems to have been one heard in the common bench in Easter term 1287. In it the merchant Richard de Araz said he had entrusted merchandise (*mercimonia in denaratis*) to the value of £23 10s to James de Araz on a specific day and that it had been in his hands for two years but he had not accounted for it or the profit from it.³⁰ James claimed he had already accounted for this on a writ of *justicies* heard before the sheriff of Lincolnshire and had requested and been assigned auditors who had found the balance owed and adjudged that Richard should take it from merchandise entrusted to him by James. In a case heard in the 1289 Wiltshire eyre the count of the merchant Thomas Clerk of Marlborough against his fellow merchant, Thomas of Winterbourne, mentioned six different transactions, of which three were specifically of money being handed over (for no specified purpose; to purchase herring at Yarmouth; to trade and do profit) and three were of livestock entrusted to him, and one of them was outside the county in Surrey. The report of the case adds materially to what we know of it. This shows that counsel objected to answering in respect of a transfer made outside the county but that other counsel (Roger of Higham) said he had seen a merchant answer in the exchequer for money handed over in Norway and that *a fortiori* responsibility attached to money handed over in this country and the court agreed with him.³¹ In later cases we hear of allegations in a 1293 case that a defendant had received 1,000 marks (£666 13s 4d) of the plaintiff's money over a nine-year period between Michaelmas 1280 and Michaelmas 1289 in York, Newcastle, Boston fair and elsewhere (presumably from the sale

²⁸ TNA: PRO, CP 40/152, m. 39d.

²⁹ For a case of Hilary 1278 of which only procedural stages are found where the defendant was described as *receptor denariorum et aliorum bonorum ad utilitatem ipsius Rogeri ex quacumque causa et contractu proveniencium*, see *Roger Champneys of Shrewsbury merchant v. Thomas Mauntel merchant*: TNA: PRO, CP 40/23, m. 22d.

³⁰ TNA: PRO, CP 40/67, m. 60.

³¹ *The Earliest English Law Reports, Volume IV*, ed. P. A. Brand (Selden Society, cxxiii, 2007), pp. 430–2 (89 Wilts. 18).

of merchandise);³² in 1294 (confirmed by a jury) that a man from Torksey had been entrusted by a woman at Nottingham with £10 in cash for a two-year period in 1290–2 to invest in merchandise for sale on her behalf (*ad disponendum et in mercandis et aliis ad proficuum ipsius Margerie faciendum*);³³ in 1303 that a defendant from Coventry had received £45 from a plaintiff on a single occasion at Hereford to purchase wool and other merchandise on behalf of the plaintiff (but nothing is said of any subsequent trading);³⁴ in 1304 that a defendant had received on a single occasion at King's Lynn £112 5s 8d to invest for the benefit of the plaintiff (a man of King's Lynn) (*de proficiendo inde ad opus ipsius Willelmi*), possibly through a seaborne trading venture;³⁵ in 1305 that Torello Donatorio of Pavia had received £20 at London in 1301–2 of the money of Bettino Berti and Bernardo Panici of Florence (and the law reports of this case suggest that they also tried initially to secure an account from him of other money he had received on their behalf in Dublin and Cork but the court rejected this on jurisdictional grounds);³⁶ in 1305 that a man described as a London taverner had received £43 from two plaintiffs earlier that year between June and August at Boston fair 'to trade and make the profit of the same John and Alexander' (*ad marcantizandum et commodum ipsorum Johannis et Alexandri faciendum*) but that he claimed to have been a partner with them and that this writ was not the proper remedy when he was a partner;³⁷ in 1306 in a suit brought by the executors of Eleanor the widow of Robert Hovel that Eleanor had handed over £200 to the Italian Jacopo Betory (whom later proceedings in the case indicate to have been a merchant of Lucca and suggest was acting on behalf of himself and partners) on a specific day in 1290 to trade with for her benefit (*ad negociandum ad opus*

³² *Robert of Speton v. Bartholomew Crauntemore*: TNA: PRO, CP 40/98, m. 52d [Hilary 1293]. Note that Bartholomew conceded he had once traded with Robert's goods at Beverley but claimed that he had accounted for this.

³³ *Robert of Weston of Nottingham and his wife Margery v. Robert Gederyng of Torksey*: TNA: PRO, CP 40/105, m. 23 [Trinity 1294].

³⁴ *William son of Roger of Orleton v. William Spicer of Coventry*: TNA: PRO, CP 40/146, m. 9d [Hilary 1303].

³⁵ *William Bywesthalthewater of King's Lynn v. Ralph Mariner of Knapton*: TNA: PRO, CP 40/151, m. 84d [Easter 1304].

³⁶ TNA: PRO, CP 40/154, m. 175 [Hilary 1305]. The reports are *Year Book* 32–33 *Edward I*, p. 376; BL MSS Additional 31826, fo. 377v and Hargrave 375, fos. 107v, 112r; Lincoln's Inn MS Misc. 738, fo. 30v.

³⁷ *John Lamb and Alexander Lamberd v. Richard Founder of London taverner*: TNA: PRO, CP 40/153, m. 46 [Michaelmas 1305]. It is briefly reported in Lincoln's Inn MS. Misc. 738, fo. 41v. The case was eventually settled by the defendant accounting out of court.

ipsius Alianore) over a ten-year period;³⁸ in 1307 in a case between two Italians that Lapus Geremeye had received £500 at London between the summer of 1305 and Michaelmas 1306 for Coppo Benvenuto.³⁹

There are also account writs of a similar form against ‘receivers of money’ from the early 1290s onwards brought against agents and servants engaged in sales of wine and other commodities, giving a real overlap with those in which such agents and servants were sued as ‘bailiffs’. Five are against individuals for an account of moneys received from sales of wine. These cover the sale of six barrels of wine (worth 64s a barrel) and one of must at Brentwood in Essex;⁴⁰ the sale of three barrels of wine (worth £10) in Northampton;⁴¹ the receipt of 1,000 marks (£666 13s 4d) over a ten-year period from the sale of wine in a tavern in Coney Street in York;⁴² the sale of two barrels of must worth 6 marks (£4) each and six barrels of wine worth 5 marks (£3 6s 8d) each in Northampton over a seven-year period;⁴³ and the sale of eight barrels of wine worth 36 marks (£24) delivered to the defendant in Scarborough on a particular day in 1304.⁴⁴ An interesting single case of 1301 brought by a York merchant (John de Paris of York) against John of Hickman sought an accounting for the period in 1300–1 when the defendant had served in the merchant’s *apotecaria* and received £20 from the sale of wax and other merchandise. The defendant said he had simply been a servant (*garcio*) in his shop (*selda*) and had only taken money during a fourteen-week period when his master had gone abroad. He had received £10 and then (in some unexplained way) managed to invest the cash in such a way as to produce an additional forty shillings for his master. He claimed that at the end of the period he had accounted for it.⁴⁵ Two ‘receivers of

³⁸ TNA: PRO, CP 40/161, m. 279 [Michaelmas 1306]. Also reported in BL MS. Hargrave 375, fo. 166v.

³⁹ TNA: PRO, CP 40/162, m. 21d [Hilary 1307]. Also reported in *Year Book 33–35 Edward I*, p. 397.

⁴⁰ *Anselm Marshal of Brentwood v. John of Bedford*: TNA: PRO, CP 40/92, m. 23 [Hilary 1292]. The jury found John had already accounted locally but had not paid the outstanding balance.

⁴¹ *John son of John Eustas of Northampton v. Thomas of Gaddesden*: TNA: PRO, CP 40/102, m. 242d [Michaelmas 1293]. Thomas claimed he had owned half and had already accounted in the church of All Saints Northampton.

⁴² *John of Bromholm v. Peter son of John Smith of Ryton*: TNA: PRO, CP 40/147, m. 94d [Easter 1303]. Peter claimed he had accounted every year in York. There are several reports of this case but they are concerned in the main with jurisdictional matters.

⁴³ *Adam of Waltham v. Simon de Enelpik*: TNA: PRO, CP 40/152, m. 153d [Trinity 1304]. Simon admitted having been his *tabernarius* but said that he had already accounted for most of the wine under local custom requiring accounting every fortnight and month.

⁴⁴ *John of Norfolk of Scarborough v. Richard Taverner of Scarborough*: TNA: PRO, CP 40/161, m. 233d [Michaelmas 1306].

⁴⁵ TNA: PRO, CP 40/135, m. 291.

moneys' were sued in 1306 and 1307 for money allegedly received from the sale of shoes: 320s (£16) received at Westminster between Michaelmas and Christmas in 1305 plus a further 20s in cash;⁴⁶ 100s (£5) received in the plaintiff's shop at Oxford over less than a year in 1303–4.⁴⁷ One receiver of moneys was sued on the basis of the delivery to him by the plaintiff's named servant at Ipswich on a specific day in 1306 of 10,000 rabbit skins worth 20 marks (£13 6s 8d) which the defendant was entrusted to trade in for the plaintiff's benefit (*ad marcandisandum ad opus et ad commodum ipsius Johannis*).⁴⁸ In another case of 1306 account was sought for the defendant's sale on the plaintiff's behalf, also at Ipswich, of twenty-one large mill stones worth 40s each and other smaller mill stones of a total value of 8s between Easter and Michaelmas 1303.⁴⁹

This chapter has looked at the evidence for the use of the action of account by and against merchants in the main royal courts down to the early fourteenth century. Merchants and others who had entrusted their goods and their money to others did not normally need to bring litigation to secure an account from their agents. The normal expectation was that this would be rendered without any kind of involvement of the courts. Even if litigation did have to be brought it was probably still the case in the early fourteenth century that the normal venue for this was a town or city court or a county court, not one of the king's courts. But the cases discussed here are enough to demonstrate that the action was sometimes brought by and against merchants in the king's courts, and their use for this purpose was probably encouraged both by the invention of a returnable writ of account, allowing cases to be brought directly there, and by the invention of a variant of the writ of account that spelled out that it was available against 'receivers of moneys' as well as against 'bailiffs'. The huge and unintended benefit of this for the historian of the English medieval merchant is that it gives us an insight into some kinds of mercantile activities and the relationships between some individual merchants about which otherwise little or nothing would be known. Such information is not going to transform our picture of merchants in this period but it does add some largely unknown additional material to the sources that can be used to portray them.

⁴⁶ *John of Colney v. Thomas of Norwich*: TNA: PRO, CP 40/160, m. 16d [Trinity 1306]. Thomas said he had already accounted and had only received a much smaller sum.

⁴⁷ *Gilbert of Winchcombe v. Vincent of Erdington*: TNA: PRO, CP 40/164, m. 101 [Trinity 1307].

⁴⁸ *John of Bristol v. Peter of Denham*: TNA: PRO, CP 40/161, m. 75 [Michaelmas 1306].

⁴⁹ *Adam of Manningtree v. William Taverner of Ipswich*: TNA: PRO, CP 40/159, m. 210d [Easter 1306].

16. 'According to the law of merchants and the custom of the city of London': *Burton v. Davy* (1436) and the negotiability of credit instruments in medieval England

Tony Moore

The plea between John Burton (at least nominally) and Elias Davy heard before the London mayor's court in 1436 is one of the most frequently cited later medieval legal cases, if not perhaps the best understood. In short, Davy had failed to honour a letter of payment for £30 made out to Burton but it was John Walden, the bearer of the letter, who seems to have brought suit (albeit in Burton's name).¹ The case has therefore been seen as precocious evidence for the negotiability of credit instruments under the 'law merchant' during the middle ages. This chapter will first establish the wider significance of the case for our understanding of legal and economic development as well as how English merchants in the fifteenth century used credit in practice, a topic on which Professor Bolton has made a substantial contribution. It will then introduce the two main surviving sources for the case, which differ in significant ways. The bulk of the chapter will reconstruct the chronology of events inside and outside court, highlighting points of legal and economic importance as they arise. Finally, it will briefly consider how this detailed reading of *Burton v. Davy* may contribute to both the debates among legal and economic historians about the early history of negotiability and among medieval historians over the role of credit, including whether credit could expand to mitigate the shortage of coin during the fifteenth-century 'bullion famines'.

Perhaps the best place to start is by defining what a negotiable instrument is and why it matters. The Bills of Exchange Act 1882 defines it as 'an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to or to the order of a specified person, or to bearer'.² Similar conditions

¹ Thus the case is referred to as *Burton v. Davy* rather than *Walden v. Davy*.

² <<http://legislation.data.gov.uk/ukpga/Vict/45-46/61/data.htm>> [accessed 15 Jan. 2015].

are set out by article 3 of the American Universal Commercial Code.³ In addition, the modern law of negotiable instruments involves three further characteristic features: they are transferable and the transferee can sue on them in his own name; transfer for value (consideration) is presumed; and a transferee, who takes one of these instruments in good faith and for value, becomes the holder in due course and is free from many of the defences that the payer could raise against the original creditor.⁴ Today, the rights of the holder in due course are seen as essential for the extensive circulation of negotiable instruments but, as James Rogers has pointed out, this is a relatively recent development. Earlier writers on the law of bills of exchange, such as Joseph Chitty (1799) and John Barnard Byles (1829), only discuss the first two defining aspects of negotiable instruments.⁵

Since it was edited by Hubert Hall in 1932, *Burton v. Davy* has been cited as the earliest firm evidence for the negotiability of credit instruments during the middle ages. In 1938, Frederick Beutel saw in it 'the complete development of the negotiable bill of exchange'.⁶ While J. Milnes Holden was more cautious, he still thought the judgment was 'truly remarkable: the bearer's right to sue was clearly recognised'.⁷ More recently, Rogers has argued that *Burton v. Davy* falls short of modern negotiability in a number of ways: the transferee Walden was not able to sue in his own name and the court heard evidence relating to the underlying debt, contrary to the concept of the holder in due course.⁸ However, John Munro thought that *Burton v. Davy* was still significant as it made the London mayor's court the first English court to offer 'full protection of the legal rights of the bearer in a transferable bill'.⁹ Likewise, John Baker cited *Burton v. Davy* when contrasting the common law courts, before which the bearer of an informal bill could not sue, with the London mayor's court.¹⁰ Rogers and Steve Sachs would downgrade its significance yet further, arguing

³ <<http://www.law.cornell.edu/ucc/3/>> [accessed 15 Jan. 2015].

⁴ W. R. Holdsworth, *A History of English Law* (17 vols., 1903–66), v. 113–14.

⁵ J. S. Rogers, *The Early History of the Law of Bills and Notes: a Study of the Origins of Anglo-American Commercial Law* (Cambridge, 1995), pp. 1–11.

⁶ F. K. Beutel, 'The development of negotiable instruments in early English law', *Harvard Law Review*, li (1938), 813–45, at pp. 830–1.

⁷ J. M. Holden, *The History of Negotiable Instruments in English Law* (1955), pp. 23–5.

⁸ Rogers, *The Early History of the Law of Bills and Notes*, pp. 45–51.

⁹ J. H. A. Munro, 'English 'backwardness' and financial innovations in commerce with the Low Countries, 14th to 16th centuries', in *International Trade in the Low Countries (14th–16th Centuries)*, ed. P. Stabel, B. Blondé and A. Greve (Leuven-Apeldoorn, 2000), pp. 105–67 at p. 145; J. H. A. Munro, 'The medieval origins of the financial revolution: usury, *rentes*, and negotiability', *Journal of International History*, xxv (2003), 505–62, at pp. 551–3, qualifies some of these points but still holds *Burton v. Davy* to be a vital precedent.

¹⁰ J. H. Baker, 'The law merchant and the common law before 1700', *Cambridge Law Journal*, xxxviii (1979), 295–322, at pp. 305–6.

that Walden was more likely to be acting as an attorney or collection agent for Burton than as the bearer of the letter, meaning that *Burton v. Davy* is only ‘an ambivalent advocate for the rights of the independent holder, providing weak evidence for assignability’.¹¹

These seeming arcana are of great significance for economic and legal historians. For a certain brand of legal history, again according to Rogers, ‘it is axiomatic that the law of bills and notes evolved in response to a universal mercantile need for freely transferable debt instruments, and that the main theme in the history of the English law of bills was the struggle to get the common law courts to accept the principles of negotiability’.¹² For some economists, the ‘law merchant’ serves as an early example of the operation of private-order institutions, in contrast to public-order enforcement by the state. As the economists Peter Leeson and Daniel Smith put it, ‘international trade first took off under a private international legal system called the *lex mercatoria*, or law merchant. It continues to thrive under private legal arrangements today’.¹³ However, Emily Kadens has dismissed this as ‘the myth of the customary law merchant’ and Charles Donahue in more forthright terms as ‘tendentious and unsupported by any critical work in the primary sources’.¹⁴ The question of the relative importance of private-order and public-order institutions in the middle ages remains a matter of more than antiquarian interest today.

The question of the extent to which credit instruments were either *de jure* negotiable or at least transferred *de facto* is equally vital for our understanding of the later medieval English economy. Credit was pervasive at all levels of the medieval economy, from international trade to dealings within villages.¹⁵ A debate of particular relevance to this chapter, and one in which

¹¹ Rogers, *The Early History of the Law of Bills and Notes*, p. 47; S. E. Sachs, ‘Burying *Burton*: *Burton v. Davy* and the law of negotiable instruments’ (2002), available at <<http://stevesachs.com/papers/burton.pdf>> [accessed 15 Jan. 2015].

¹² Rogers, *The Early History of the Law of Bills and Notes*, p. 10. See also the citations in S. E. Sachs, ‘From St. Ives to cyberspace: the modern distortion of the medieval law merchant’, *American University International Law Journal*, xxi (2006), 685–812 at pp. 744–5 n.204.

¹³ P. Leeson and D. Smith, ‘The law merchant and international trade’, available at <<http://fee.org/freeman/detail/the-law-merchant-and-international-trade>> [accessed 15 Jan. 2015]. Much of this literature draws on H. J. Berman, *Law and Revolution: the Formation of the Western Legal Tradition* (1983), pp. 333–56.

¹⁴ E. Kadens, ‘The myth of the customary law merchant’, *Texas Law Review*, xc (2012), 1153–1206; C. Donahue Jr., ‘Medieval and early modern *lex mercatoria*: an attempt at the *probatio diabolica*’, *Chicago Journal of International Law*, v (2004), 21–37, at p. 23.

¹⁵ M. M. Postan, ‘Credit in medieval trade’, in *Medieval Trade and Finance*, ed. M. M. Postan (Cambridge, 1973), pp. 1–26. For more recent work on local credit, see C. D. Briggs, *Credit and Village Society in Fourteenth-Century England* (Oxford, 2009); and on an international level, J. L. Bolton and F. Guido-Bruscoli, ‘The Borromei bank research

the dedicatee of this volume has taken a leading role, has been the potential for credit to compensate for a shortage of specie in the later middle ages.¹⁶ The 'monetarist' school of thought argues that the expansion or contraction of credit is bound up with the supply of coined money, especially the silver coins presumed to be most used for daily transactions. If the royal mints are producing new coins, then potential lenders will be more confident about future liquidity and thus more willing to extend credit. If the supply of coined money is contracting, then they will hoard liquidity and be reluctant to extend credit. In the latter case, both the overall money supply and the velocity of circulation will fall, leading to either a fall in economic production or in the price level (deflation). This has obvious relevance for the later medieval economy, given the recurrent 'bullion famines'.¹⁷ On the other hand, it has been argued that, if economic actors are short of coin, they will turn to non-cash based payment mechanisms, including various forms of credit.¹⁸ If credit instruments were negotiable enough to be used as a circulating medium, then this could increase the money supply. If they were not fully negotiable but payments could be made by assigning debts, this could facilitate a greater velocity of circulation. Either of these could mitigate some of the potentially deflationary consequences of the lack of silver in fifteenth-century England. The precise interpretation of *Burton v. Davy* has major implications for this debate.

The remainder of this chapter will reconstruct the course of events in the case, from the initial issue of the letter of payment in Bruges in December 1435 up to Davy's appeal to chancery in February 1437. This account is based on the two surviving sources for *Burton v. Davy*.¹⁹ The first of these was occasioned by a royal writ of privilege issued by John Juyn, chief justice of the common pleas, in November 1436. This, together with the City's reply and the answering royal writ were copied into the City Letter Book K. They were published in 1911 by Reginald Sharpe, albeit in a heavily abbreviated calendared form that omits much interesting detail.²⁰ The second, and more

project', in *Money, Markets and Trade in Late Medieval Europe: Essays in Honour of John H. A. Munro*, ed. L. Armstrong, I. Elbl and M. M. Elbl (Leiden, 2007), pp. 460–90.

¹⁶ For the latest salvos, see J. L. Bolton, *Money in the Medieval English Economy, 973–1489* (Manchester, 2012), pp. 273–92 and P. Nightingale, 'A crisis of credit in the fifteenth century, or of historical interpretation?', *British Numismatic Journal*, lxxxiii (2013), 149–63.

¹⁷ P. Spufford, *Money and its Use in Medieval Europe* (Cambridge, 1988), pp. 339–62.

¹⁸ It was 'the relative abundance or scarcity of capital at the disposal of an individual merchant that determined the employment of credit in selling and buying' (Postan, 'Credit in medieval trade', p. 23).

¹⁹ Unless otherwise specified, all statements about the case refer to these two sources.

²⁰ *Calendar of Letter Books of the City of London K*, ed. R. R. Sharpe (1911), pp. 108–9; LMA, COL/AD/01/010, fos. 163r–163v.

detailed, account is the record of the case, including abbreviated versions of the above, sent by the City in response to a writ of *certiorari* from the court of chancery in February 1437. This was edited by Hubert Hall as a full transcription with facing translation.²¹ While generally very good, Hall's edition has a number of lacunae. These have been supplied from the original document, where they are clearly legible. However, there are some important limitations that need to be noted. First, we do not know if the chancellor took any further action after receiving the City's response to the *certiorari*; so it is not clear whether the City's handling of the case was accepted or if the matter was summoned into chancery. Second, in common with most surviving legal records, they are largely procedural and formulaic and do not provide a full recounting of the arguments employed by the parties. In particular, we lack information from Davy's perspective and, crucially, why he refused to pay. Here it is important not to impose our modern concern with negotiability onto Davy – there is no explicit statement in the sources that any alleged transfer between Burton and Walden was ever the point of contention.

The reply to the writ of privilege describes the debt as the result of 'a certain merchants' exchange between the same John Burton and John Audley, factor and attorney of the said Elias, for and in the name of the said Elias, and to his use, previously made at the vill of Bruges in Flanders in the way of merchants'. The record sent to chancery provides further details. It includes the text of the letter of payment, which will be discussed in detail below, and provides a fuller description of the underlying transaction. It states that Audley had purchased 'cloth, linen and other merchandise' in Bruges 'to the service and use of the said Elias, his master', and that these goods subsequently came into Elias's possession in London. To pay for this, on 10 December 1435, Audley 'took up by way of exchange, as is the common practice of merchants there' the said £30 from Burton 'by the hand of Thomas Hanworth, then Burton's factor'. In return, Audley delivered to Hanworth a letter of payment, 'for security of repayment of the said sum to be made to the said John Burton, or to the bearer of the said letter', on 14 March 1436.

This transaction helps to illustrate some important features of the contemporary economy. Davy was a mercer and citizen of London, resident in Bassishaw ward but also with interests in Croydon.²² Burton is described as a merchant of Norwich. He may be identified with the grocer of the

²¹ *Select Cases Concerning the Law Merchant AD 1251–1779, III: Supplementary Central Courts*, ed. H. Hall (Selden Society, xlix, 1932), pp. 117–19; TNA: PRO, C 244/17/69.

²² See A. F. Sutton, *The Mercery of London: Trade, Goods and People 1130–1578* (Aldershot, 2005), pp. 528–9.

same name, active in that city in the 1450s and 1460s.²³ One point to note is that both Burton and Davy were acting through agents overseas; Audley for Davy and Hanworth for Burton. This reflects the rise (or not) of the sedentary merchant operating through representatives rather than travelling with their goods.²⁴ The fact that Burton was a grocer and Davy a mercer is also significant as there was a natural symbiosis between the trading activities of the two groups. It is worth quoting Eileen Power's reconstruction of this mutual coincidence of wants *in extenso*: 'The Staplers [grocers] had Flemish money in Calais, where they sold, and in the marts, where they collected their debts; they wanted English money in the Cotswolds and London, where they bought. The mercers had English money in London, where they sold, and needed Flemish money at the marts, where they bought. So the Stapler [grocer] on the continent delivered his money to a mercer and received a bill of exchange payable at a future date in London in English money'.²⁵

The underlying transaction in *Burton v. Davy* could be used as a textbook example of this sort of arrangement. It also reveals the ways in which merchants sought to use credit to avoid transporting specie internationally but which could also be employed locally.²⁶

The letter of payment, written in French, was read out before the mayor's court when Walden brought suit and copied into the record of the case sent to chancery. It reads:

Let this be given to my very honourable master, Elias Davy, mercer, at London. Very honoured sir, may it please you to know that I have received here, from John Burton by exchange, £30 to be paid at London to the aforesaid John or to the bearer of this letter of payment on the fourteenth day of March next coming, by this my first and second letter of payment. And I beg you that it be well paid on the day. Written at Bruges, the tenth day of December, by your attorney, John Audley.

²³ For Burton's civic activities in Norwich, see *An Index to Norwich City Officers 1453–1835*, ed. T. Hawes (Norfolk Record Society, lii, Norwich, 1986). It is unlikely that this John Burton was the London mercer of the same name (d. 1460), who seems to have had ties with Wadsworth in Yorkshire (J. Strype, *A Survey of the Cities of London and Westminster* (2 vols., 1720), i. Book III, p. 67, available at <http://www.hrionline.ac.uk/strype/TransformServlet?page=book3_067> [accessed 15 Jan. 2015]).

²⁴ Spufford, *Money and its Use in Medieval Europe*, pp. 251–4.

²⁵ E. E. Power, 'The wool trade in the fifteenth century', in *Studies in English Trade in the Fifteenth Century*, ed. E. E. Power and M. M. Postan (1933), pp. 31–90, at p. 67. See also P. Nightingale, *A Medieval Mercantile Community: the Grocers' Company and the Politics and Trade of London, 1000–1485* (1995), pp. 435–6 and Sutton, *The Mercery of London*, pp. 143–6.

²⁶ Spufford, *Money and its Use in Medieval Europe*, p. 394.

The negotiability of credit instruments in medieval England

The document is in the form of a short letter of payment and omits some details of the transaction that were not directly relevant. It does not name Hanworth as the drawee or buyer of the instrument, the sum received in local currency or the exchange rate, as was customary in Italian bills. It has long been recognized that bills of exchange could incorporate an element of interest by varying the exchange rate but, since neither the local payment received nor the exchange rate are given, it is not possible to calculate the interest rate for this transaction.²⁷ In terms of the modern definition of a negotiable instrument as set out above, the letter of payment ticks all the boxes. It is ‘an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to or to the order of a specified person, or to bearer’.²⁸ The outstanding questions about the negotiability of medieval credit instruments do not concern the form of these documents, but rather how they were treated before the courts, and in particular whether they had the characteristics of negotiability: transferability, presumption of consideration, and the holder in due course.

At some point between the issuance of the letter in Bruges on 10 December 1435 and when it came due on 14 March 1436, it came into the possession of John Walden.²⁹ Walden was a London merchant and grocer, who was just beginning an eminent career in City politics and at the Calais Staple.³⁰ Again, we return to the key question of the capacity in which Walden was acting. Unfortunately, there is a fundamental difference between our two sources on this point. The City’s response to the writ of privilege from the common pleas states that Burton brought suit ‘by a certain John Walden, his attorney recorded in the chancery of the lord king and admitted in his place by virtue of a writ of the lord king directed to us’. In the record of process before the mayor’s court sent to chancery, however, Walden is never described as Burton’s attorney. Moreover, not only does the record

²⁷ A. R. Bell, C. Brooks and T. K. Moore, “Cambium non est mutum”: exchange and interest rates in medieval Europe’, *Economic History Review* (forthcoming 2016).

²⁸ Although, in the middle ages, authentication was provided not by a signature but by the handwriting of the bill.

²⁹ M. M. Postan, ‘Private financial instruments in medieval England’, in Postan, *Medieval Trade and Finance*, pp. 28–64, at p. 60 and Munro, ‘Medieval origins’, p. 552, argue that, prior to the transfer of the letter to Walden, Burton must have presented it to Davy, who had accepted it. There is no evidence for this in the sources. While acceptance was standard practice on the continent at this time, it is rarely mentioned in English contexts.

³⁰ For a short biography, see S. L. Thrupp, *The Merchant Class of Medieval London, 1300–1500* (Chicago, Ill., 1948), pp. 371–2. For his political activities, see Nightingale, *Community*, pp. 491, 497, 502–4, 514–15.

sent to chancery not mention any royal writ recognizing the appointment of Walden as Burton's attorney, but it does not provide any evidence that Walden was appointed by Burton as his representative at all beyond his possession of the letter.³¹ Instead, the record always uses the formula 'the bearer of the said letter, who is held and reputed in the place of the said petitioner [Burton], according to the law merchant and the custom of the city of London'.

It is not possible to make a definitive judgement based on these two sources alone. However, we can examine the logic of the two situations to test which is more internally consistent. In the case of the reply to the writ of privilege from the common pleas, there is a clear legal rationale for the City to describe Walden as Burton's attorney. Although it was not transcribed into the Letter Book, the bill initiating the plaint before the mayor's court was attached to the reply. Now, Walden had brought the plaint in person, albeit in Burton's name, and so the City had to account for his appearance. While the common pleas presumably would not have recognized his standing to bring suit as the bearer of the letter, describing him as Burton's attorney would have satisfied the conventions of that court. Conversely, if Walden was the named attorney of Burton, appointed by royal writ, why did the record of the case sent to chancery not mention this, instead using the clumsy 'bearer' circumlocution translated above? There would seem to be no legal advantage to be gained by omitting Walden's official status as an attorney, indeed it only raised potential complications. Further, the record sent to chancery is the longer and more detailed of the two sources and, although it is not a verbatim record of the arguments made in the London mayor's court, it is probably closest to the reality of the process in that court. On this basis, it is more likely that Walden was acting as a bearer of a transferred credit instrument rather than as an attorney or collection agent for Burton.

Neither source provides any information about how this credit instrument came into Walden's hands. Certainly, it was common for merchants to satisfy their own creditors by 'setting' or 'making over' debts owed to them.³² Nightingale states that Walden had received the letter from Burton in settlement of a debt owed to him by Burton but there is no

³¹ Munro, 'Medieval origins', pp. 551–2, states that 'Walden had to ask Burton to act as the nominal plaintiff against Davy; but Burton, apart from supplying testimony, played no further role in the suit'. However, there is no evidence for either of these statements in the text. Burton never appeared before the court in any capacity or supplied any evidence or testimony.

³² A. Hanham, *The Celys and their World: an English Merchant Family of the Fifteenth Century* (Cambridge, 1985), pp. 186–202.

mention of this in either of the sources.³³ This would be a telling omission, since it would have provided a 'common interest' between assignor and assignee and so avoided the objection of maintenance, one of the reasons why assignors could not sue in the name of the assignee at common law.³⁴ Finally, Burton could have tried to raise some immediate cash in hand by selling the letter on to a London merchant, possibly at a discount.³⁵ It is even possible that the letter had passed through other hands before reaching Walden. Moreover, the fact that none of the records specify how Walden came to have the letter may demonstrate the second of Holdsworth's three characteristics of a negotiable instrument, namely that consideration was presumed.

Walden then presented the letter to Davy when it fell due on 14 March 1436 and repeatedly thereafter, requesting the payment of the £30 in Burton's name, 'according to the force, form and effect of the said letter and the aforesaid law [merchant] and customs [of the city of London]'. Davy refused to pay and, eventually, on 10/11 August 1436 Walden appeared before the London mayor's court with the letter of payment and brought plaint by bill against Davy in Burton's name.³⁶ It is noteworthy that Walden waited nearly five months after Davy had technically defaulted before he turned to the courts – obviously law was not the first resort of the medieval merchant. Walden produced the letter of payment and recounted the nature of the original transaction in Bruges, as set out above, as well as Davy's repeated refusals to pay. Davy was then summoned to appear before the court on 1 September 1436, 'to be examined and to be respondent on the said letter of payment and the other said matters, according to the aforesaid law [merchant] and customs [of the city of London]'. The same day was given to Walden as the bearer of the letter.

On 1 September both Walden and Davy appeared before the mayor's court in person and the letter of payment and the bill were read out to Davy. The latter then claimed a day to seek advice but this was rejected, as the mayor and aldermen were not advised of any pressing civic reason why the case should be heard on any particular day and also because, according to the law merchant and the custom of the city of London, 'no discontinuance lies here in any kind of mercantile causes'. The parties were given a day for the first court

³³ Nightingale, *Community*, p. 476.

³⁴ Holden, *History of Negotiable Instruments*, p. 14.

³⁵ For examples of discounting, see A. R. Bell and T. K. Moore, 'The non-use of money in the middle ages', in *Peter Spufford's Money and its Use in Medieval Europe – Twenty-five Years On*, ed. N. J. Mayhew (Royal Numismatic Society Special Publication, forthcoming).

³⁶ The record sent to chancery gives the date as the 10th and the reply to the writ of privilege as the 11th.

merchant after the morrow of All Souls (3 November). Still, an adjournment of two months is hardly the rapid process associated with the law merchant.

Just before the case was due to be heard again, the City received a royal writ of privilege, issued on 3 November 1436 by John Juyn, chief justice of the common pleas, ordering them to have the particulars of the case, including the date on which the bill was brought, before the court of common pleas on 9 November.³⁷ The royal courts claimed that, according to their liberties and privileges, since time immemorial, litigants (both plaintiffs and defendants) were entitled to safe conduct under the king's protection while coming to the courts, staying there to conduct their business and then returning home.³⁸ At this time, Davy had a number of pending actions before the common pleas, including a plea of debt for £26 against William Clerk of London, a skinner. He complained that, while he was in London to consult with legal counsel, Burton had impleaded him before the mayor's court and compelled him to answer so that he was not able to prosecute his suit against Clerk and his other business before the common pleas. Burton, Davy alleged, had brought the plaint 'scheming to worry and unduly burden' Davy, 'without regard to the liberties and privileges of the common pleas' and to the 'irrefutable weakening of our said court of the bench and to the manifest disparagement of the said liberties and privileges'.

Here we may pause briefly to consider Davy's suits before the common pleas. His plea against Clerk does not seem to have proceeded to trial, so the precise nature of the dispute is unknown. *Davy v. Clerk* was already at the second stage of mesne process (attachment) in Hilary term 1436 so the matters at issue probably date back to at least the autumn of 1435 and hence predate the drawing of the letter of payment by Audley on Davy in Bruges on 10 December 1435.³⁹ Clerk had not appeared at the quindenes of Michaelmas 1435 and the sheriffs of London were ordered to seize him *sicut plures* for the octaves of Hilary 1436. A *postea* note records further process up to the issue of a *sicut alias capias* for three weeks after Easter 1438.⁴⁰

³⁷ In fact this was the second such writ to be sent to the mayor and aldermen – evidently they had ignored the first. The same was the case for the writ of *certiorari* from the chancery. It was fairly common for the holder of a liberty to assert their status by refusing to answer the first writ addressed to them.

³⁸ S. Jenks, 'Privileges and their application in the main English central courts in the fourteenth and fifteenth centuries', in *Law and Legal Process: Substantive Law and Procedure in English Legal History*, ed. M. Dyson and D. Ibbetson (Cambridge, 2013), pp. 77–102. See *Select Cases Concerning the Law Merchant AD 1239–1633, II: Central Courts*, ed. H. Hall (Selden Society, xlvii, 1930), pp. 109–13 for a similar case.

³⁹ For previous stages, see TNA: PRO, CP 40/700, m. 158; 1702, m. 2 31d.

⁴⁰ In May 1436, a William Clerk, skinner of St. Andrew Holborn, mainperned for John Rogenhyl, farmer of the subsidy and ulnage of cloth in London (*CFR 1430–1437*, p. 251).

Meanwhile, back in Michaelmas term 1436, Davy was also suing John Cotys of Bath, a chapman, over a debt of 77s 6d, William Mollysworth of Bishop's Lynn (Norfolk) for the substantial sum of £40; and Richard Honywys of London over a debt of 40s.⁴¹

So what was going on here? Hall accepts at face value Davy's argument that *Burton v. Davy* was brought in an attempt to obstruct his suit against Clerk before the common pleas. In Hall's words, 'this statement, made with assurance, may remind us that in those days maintenance was still a fine art'.⁴² However, the degree of assurance with which a legal argument is advanced is no sure guide to its validity. In this case, the justices of the common pleas rejected Davy's claim that the progress of *Burton v. Davy* in the London mayor's court would have prevented Davy from prosecuting his suit against Clerk, or any of his other ongoing actions, before them. That they were correct to do so is demonstrated by the fact that Davy later appeared in person at the following return days in those suits. Alternatively, Davy might have been trying to have Burton's plea transferred from the mayor's court to the common law courts, who took a firmer view on *choses in action*. However, the usual response to an infringement of the privilege of the common pleas was to vacate the process before the inferior court, not to summon it before the superior.⁴³ This gambit might not have been successful in any case since, as far as the royal courts were concerned, the plea was between Burton and Davy, and Walden was only the former's attorney. It is more likely that Davy was simply playing for time. Suzanne Jenks quotes a Year Book case from 1432 in which it was claimed that a suit before the common pleas was 'not brought for any reason other than to protect the defendant from a threat of a plea in London'.⁴⁴ Moreover, there may have been a particular reason why Davy needed to stall at this time. After Philip the Bold of Burgundy switched his support from England to France in September 1435, trade between England and the Low Countries was interrupted until 1441, severely disrupting the mercers' business.⁴⁵

The response from the City began with a matching appeal to the antiquity of its own liberties and customs, describing London as 'one of

Clerk may be identified with the William Clerk, citizen and skinner of London, who had made a deed of gift of all his goods in Apr. 1427 that was acknowledged on 18 Feb. 1436 (*CCR 1435-1441*, p. 51). It is possible that the deed of gift may have been intended to put his assets beyond Davy's reach.

⁴¹ TNA: PRO, CP 40/703, mm. 6, 23, 39d.

⁴² Hall, *Select Cases III*, p. xxxiii.

⁴³ Jenks, 'Privileges and their application', p. 118 and see *Weston v. Westminster* (Hall, *Select Cases II*, pp. 109-13).

⁴⁴ Jenks, 'Privileges and their application', p. 81.

⁴⁵ Sutton, *The Mercery of London*, pp. 246-51.

the most ancient and notable cities and merchant staples of the whole realm of England'. Moreover, its rights had been confirmed by divers royal letters patent and charters of the current king and his predecessors, as well as by statutes and parliaments. The City then set out its right to 'hear and determine causes and actions of each and every merchant coming to the city, and against other merchants residing there, for all kinds of loans, bargains, exchanges and letters of payment, and other matters and mercantile contracts between those same merchants, or their factors, at whatsoever markets, fairs or merchant towns outside the realm of England in the way of merchants'. Such cases were to be decided by juries of foreign and local merchants or by examination of the parties themselves or witnesses, letters and instruments or other types of proof. Thus far the two sources agree. The record sent to chancery, however, stops here while the response to the writ of privilege addresses Davy's allegation that the suit before the mayor's court had been brought in order to obstruct his actions before the common pleas. The latter source states that Davy 'is, and was at the time of the delivery of the said writ, and had been for a long time before then, a merchant and citizen of the city of London'. Moreover, he was not in London to consult with his legal counsel but rather 'awaiting and attending to his articles and merchandise' when he was summoned before the mayor's court.

After inspecting the City's response with the attached bill and hearing the arguments of the two parties, the common pleas released the case back to the mayor's court. The royal writ rehearsing this decision provides no further explanation beyond stating that it had been made 'for many reasons moving the said justices'. It is possible that the justices were impressed by the City's impassioned defence of its liberties and privileges, and accepted London's right to hear cases involving merchants and exchange. At least the impression that the royal courts had done so may explain why these documents were copied into the Letter Book and also into a later legal compilation, the *Liber Dunthorne*. It is more likely, however, that Juyn was ruling on a much narrower point; not accepting London's claims so much as he was rejecting Davy's argument that the suit before the mayor's court was preventing him from prosecuting his pleas pending before the common pleas and thereby infringing the privilege of the higher court. Jenks has set out the strict conditions involved in claiming such privilege, and Davy would not seem to qualify.⁴⁶ Indeed, as we have seen, Davy was able to

⁴⁶ Jenks, 'Privileges and their application', pp. 80–6. In *Weston v. Westminster*, Weston claimed to be travelling to London for the return day three weeks after Michaelmas (20–26 Oct.) but was arrested at Westminster on 23 Oct., held until trial on 25 Oct., and then committed to prison. Although Weston had been released by 29 Oct., he would have been unable to appear before the common pleas during the return day and so verdict was given

continue to appear before the common pleas at Westminster to pursue his legal affairs despite the continuation of the plaint before the mayor's court. It is also unlikely that Juyn's ruling had any relation to Walden's rights as the bearer of a credit instrument. Certainly the writ makes no specific mention of the question of the legal rights of the bearer of a negotiable instrument, and Juyn may not even have been aware of this part of the story given that the City's response had described Walden as Burton's attorney.

The royal writ was issued on 23 November 1436 and, according to the record sent to chancery, Davy and Walden were immediately resummoned to appear before the mayor's court on 29 November. Although it is not a verbatim account of the pleading in court, the record does set out the key procedural elements. The case was determined based on the examination of witnesses and evidence rather than jury trial. First, Davy was questioned and was not able to deny that Audley was his factor when the letter of payment was issued, and indeed afterwards, nor that Audley had spent the £30 on merchandise bought for his use and that had come into his possession. The court also heard testimony from both Hanworth and Audley. Despite his headline role, Burton was the one member of the four original parties to the letter of payment not called to testify before the court. Based on this testimony and 'many other types of proof manifestly declaring the truth of the said business', the court adjudged that the bill submitted by Walden as the bearer of the letter, in Burton's name, was true. As Rogers has pointed out, the fact that the parties to the original transaction were examined suggests that Walden did not enjoy the modern rights of a 'holder in due course' as the bearer of the instrument. The verdict, given according to the law merchant and the customs of the city and 'the force, form and effect of the said letter', was that Davy should pay the £30 to the petitioner (Burton) or to Walden as the bearer of the letter, as well as damages assessed at 20s.⁴⁷

But this was not the end of the story as Davy appealed to the chancellor's equitable jurisdiction. As with the writ of privilege, the City seems to have ignored the first writ but responded to a second writ sent on 14 February 1437. Unfortunately, the petition submitted by Davy is missing, so we do

in his favour. By contrast, Davy was never arrested or detained by the London authorities, he had attended the common pleas in person at the last return day (the quindenens of Michaelmas or 13–19 Oct. 1436) and the next return day was not until the octaves of Hilary (20–26 Jan. 1437), so it is difficult to see how the action before the mayor's court would have obstructed the business of the superior court.

⁴⁷ This is equivalent to an annualized interest rate (non-compounded) of 4.6%, assuming that the damages began accruing on 14 Mar. 1436. This rate is similar to those awarded in other cases (P. A. Brand, 'Aspects of the law of debt, 1189–1307', in *Credit and Debt in Medieval England, c.1180–c.1350*, ed. P. R. Schofield and N. J. Mayhew (Oxford, 2002), pp. 19–41, at p. 33).

not know the reasons he gave for his appeal. It is unlikely that his issue could have been with the transfer of the letter from Burton to Walden in itself, since chancery was generally considered to be more sympathetic to this practice than the rigid common law.⁴⁸ However, Davy's repeated legal challenges suggest that he at least thought he had a legitimate grievance. Alternatively, he may have been in temporary financial straits and simply seeking to delay repayment for as long as possible. In response to the *certiorari*, the City sent the record of process before the mayor's court, as used above to reconstruct the course of events. Here, there are two further points to stress. First, the record sent to chancery drops the likely pretence of Walden being Burton's royally appointed attorney, as he was described in the reply to the common pleas' writ of privilege. Second, while quoting the defence of the City's liberties that they made in their reply to the first writ of privilege, they did not directly challenge or raise any objection to chancery's right to review the case. The chancery's response is not recorded, so it is unclear whether the case was summoned before the chancellor or if the jurisdiction of the mayor's court over mercantile cases was recognized.

What does this all mean for the subtitle of this chapter – were medieval credit instruments negotiable? On the affirmative side, the form of the letter of payment issued by Audley on Davy meets all the criteria of a modern negotiable instrument. Moreover, the fact that neither of the sources specifies how Walden acquired the letter suggests that consideration was presumed. On the negative side, the simple fact that the case is known as *Burton v. Davy* and not *Walden v. Davy* poses a major challenge to accepting it as evidence for negotiability as it demonstrates that Walden could not sue in his own name. In practice, as we shall see, this may not have been such an impediment if the right of the bearer to sue in the name of the initial beneficiary was generally recognized. Finally, the mayor's court examined the parties (except Burton) about the facts of the underlying transaction, so it seems that the holder in due course doctrine did not apply and that the bearer was not free from objections relating to the original debt. Overall, on this point we have to agree with Rogers and Sachs, rather than Beutel and Holden, that *Burton v. Davy* does not support the full negotiability of credit instruments in medieval London.

At the same time, *Burton v. Davy* does provide evidence for the assignment of debts in practice and their *de facto* enforcement by the London courts. As A. H. Thomas neatly put it: if the law merchant as interpreted by the

⁴⁸ W. T. Barbour, *The History of Contract in Early English Equity* (Oxford Studies in Social and Economic History, iv, Oxford, 1914), pp. 107–9. For case studies taken from chancery petitions, see Bell and Moore. Sutton, *The Mercery of London*, pp. 218–26, reconstructs the mercers' credit relationships from more than 250 15th-century chancery petitions concerning debt, many of which involved transfers or assignments.

City courts of London 'did not make the transferable instrument fully negotiable, it made it as negotiable as was necessary for ordinary business purposes'.⁴⁹ The court of chancery would also entertain petitions from the holders of assigned credit instruments according to equity. Even the situation of the transferee before the common law courts may not have been as hopeless as often thought. It has been suggested that many bearers of transferred credit instruments could have sued as the attorney of the original creditor, as indeed Walden was described in the reply to the writ of privilege.⁵⁰ In 1426, for example, before the London mayor's court William Woodeward delivered to Martin Allen an obligation for £10 owed to him by Sir Henry Hussey of Harting in Sussex. Woodward also granted that 'he would be prepared either personally or by attorney to prosecute and avow all kinds of suits in whatsoever courts, moved or to be moved, whenever it should be necessary and he should be reasonably required thereto by the said Martin'.⁵¹ This raises the possibility that the practice of assignment may have been much more widespread than the legal records would indicate, as some of the cases apparently pleaded by attorney may actually have been brought by bearers of transferred credit instruments.

This reconstruction of *Burton v. Davy* has some legal significance. In particular, although medieval credit instruments were not negotiable in their full modern sense, there is nonetheless substantial historical evidence that, in practice, debts were assigned and transferred. This could be read as supporting Rogers' recent argument that the enhanced rights of the holder in due course are not essential for a functioning secondary credit market, and indeed they may have undesirable consequences.⁵² More generally, there is a danger of reading our modern legal interest in negotiability back into the past. Most of the evidence for the transfer of credit instruments can be found in incidental mentions during the course of pleading rather than forming the subject of dispute itself. As noted above, we do not know what Davy's objections to honouring the letter of payment actually were. Indeed, he may simply have been seeking to drag out proceedings for as long as possible for financial reasons.

⁴⁹ *Calendar of Plea and Memoranda Rolls of the City of London 1381-1412*, p. xxxvi.

⁵⁰ See the year book case of 1455 cited in F. Pollock, *Principles of Contract: a Treatise on the General Principles Concerning the Validity of Agreements in the Law of England* (9th edn., 1921), pp. 753-4; S. J. Bailey, 'Assignment of debts in England from the twelfth to the twentieth century', *Law Quarterly Review*, xxxviii (1932), pt. 2, 248-71 at pp. 265-6, pt. 3, 547-82, at pp. 551-4, 580-1; Holdsworth, *A History of English Law* vii. 534-5.

⁵¹ *Calendar of Plea and Memoranda Rolls of the City of London 1413-1437*, pp. 200-1.

⁵² J. S. Rogers, *The End of Negotiable Instruments: Bringing Payment Systems Law out of the Past* (Oxford, 2011).

This reinterpretation also has implications for our understanding of economic history. Medieval litigants tailored their legal strategies and terminologies to suit the particular courts that they were using. *Burton v. Davy* provides a neat illustration of this: Walden was described as Burton's attorney in the City's reply to the common pleas but as the 'bearer of the letter' in that to chancery. The constant shifting of terms to fit in with court procedure and jurisdiction, and the ways that contracts were structured to enable the use of the courts, further suggests that public-order institutions were important to merchants and they did not rely solely on private-order enforcement mechanisms. On the other hand, the law courts may have only been used as a last resort: as we have seen, Walden waited nearly five months before bringing suit. It is clear that reputation was vitally important in medieval trade. A merchant needed to assess the creditworthiness of potential counterparties to know whose bills obligatory to accept and whose to reject.⁵³ From the borrower's perspective, as the cuckolded merchant in Chaucer's *Shipman's Tale* put it: 'we may creauce whil we have a name'.⁵⁴ In fact, rather than an inherent conflict, there was an intimate link between public- and private-order enforcement mechanisms during the middle ages.⁵⁵

Finally, what does it mean for the potential of credit to mitigate the 'bullion famines' of the later middle ages? It seems that, although not fully recognized by the courts, the transfer of credit instruments may have been much more extensive than previously thought. Frederick Lane and Reinhold Mueller have suggested that English merchants compensated for the absence of moneychangers or *giro* banks 'by assigning and discounting such credit instruments as letters obligatory and bills of exchange long before endorsement became widespread'.⁵⁶ In modern terms, the Flemish and Italians used bank finance while the English merchants engaged in market finance (today's 'shadow banking').⁵⁷ The fact that such credit

⁵³ For examples, see Hanham, *The Celys and their World*, pp. 189, 195, 203.

⁵⁴ *The Riverside Chaucer*, ed. L. D. Benson (3rd edn., Boston, Mass., 1987), vii, line 289. The importance of perception is clear from the description of the merchant from the General Prologue (line 280) that 'ther wiste no wight that he was in dette'.

⁵⁵ This also applied to the medieval political system. As C. Carpenter (*The Wars of the Roses: Politics and the Constitution in England, c.1437–1509* (Cambridge, 1997), p. 61) describes it: '[the king] was head of a public system of law and administration but he was also at the apex of the unofficial hierarchy of landed power that made the public system work at all'.

⁵⁶ F. C. Lane and R. C. Mueller, *Money and Banking in Medieval and Renaissance Venice: Coins and Moneys of Account* (Baltimore, Md., 1985), p. 68. The trading of credit instruments described above can be seen as the precursor of the 'inland bills' described by E. Kerridge in *Trade and Banking in Early Modern England* (Manchester, 1988).

⁵⁷ I owe this observation to my colleague Richard Comotto.

The negotiability of credit instruments in medieval England

instruments were not fully negotiable probably meant that they could not circulate widely as money substitutes; most examples from the middle ages involve only a handful of transfers whereas early modern bills could be transferred by endorsement dozens of times. As a result, they may not have served to expand the money supply *per se*. However, the inventive use of credit minimized the need to make payments in cash. This could have increased the velocity of circulation and so have had a similar economic effect in countering the deflationary impact of a reduction in the amount of coin available.

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This volume contains selected essays from a conference held in November 2013 to celebrate the contribution to scholarship of the medieval historian Professor James L. Bolton. Within the overall theme, the essays address a number of different questions in medieval economic and social history, focussing in particular on the activities of merchants, their trade, legal interactions and identities, and on the importance of money and credit in the rural and urban economies. Other essays look more widely at patterns of immigration to London, trade and royal policy, and the role that merchants played in the Hundred Years War.

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