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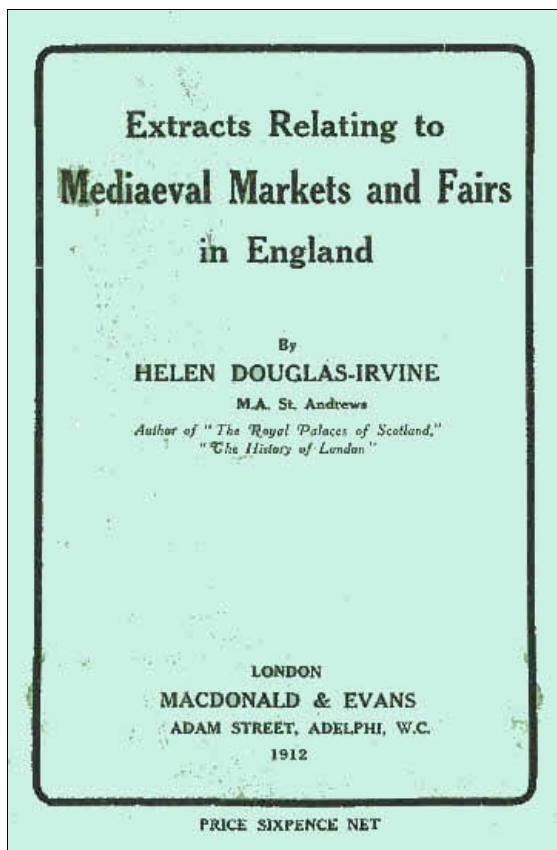
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IN ENGLAND ***



SOURCE BOOKS OF ENGLISH HISTORY FOR USE IN SCHOOLS

EDITED BY K. H. VICKERS, M.A.

EXTRACTS RELATING TO MEDIAEVAL
MARKETS AND FAIRS IN ENGLAND

**EXTRACTS RELATING
TO MEDIAEVAL MARKETS
AND FAIRS IN ENGLAND**

BY

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EDITOR'S GENERAL PREFACE.

This series of source-books aims at providing illustrations of various aspects of English history at a price that will enable the teacher to place them in the hands of the pupils themselves. All teachers of history are agreed as to the value of using the "original documents" in their work as a means of making their pupils realise that they are studying human life in past ages, but hitherto the consideration of price has confined the use of them almost entirely to the teachers themselves. In the series here prepared for the use of scholars and teachers alike the volumes are each devoted to one aspect of history, so that the teacher can select that one which will illustrate the particular line taken. Thus, one will be on "Markets and Fairs," for use when the teaching has an economic basis, another will deal with political events, and another with the social side of history. Great care has been taken to secure extracts from contemporary and reliable authorities.

K. H. V.

INTRODUCTION

Fairs and markets are not different institutions—a fair is a market of a particular kind, an important market held not once or several times a week, but once or several times a year. The customs, the rights, and the law of markets are therefore relevant to fairs; and generalisations as to markets apply to fairs.

There is no direct evidence as to the origin of markets and fairs in England. Early Oriental and classical literature indicate that they have served all peoples whose development has reached a certain stage. As communities cease to be entirely self-supporting trade arises naturally; and trade is obviously facilitated by a concentration in particular places at particular times of sellers and buyers. Certain of these gatherings had in the ninth century already been regularised in England as markets. The king or other lord had become responsible for the validity of sales in them, and suffered them to take place within the territory over which he had power. In return he received from the market people tolls, fines for transgressions, and other dues, which were a considerable source of profit, sufficient to make the tenancy of a market an object of desire. It was frequently acquired by a religious house.

It is noteworthy that the king was regarded as the original holder of all market right in England. The lord who had a market on his manor, whether in virtue of a royal charter or by force of a custom of which the beginning had been forgotten, was considered to exercise a right which initially had been derived from the king. In historic times the establishment of new markets has been, until recently, only possible by means of a royal grant.

ANGLO-SAXON MARKETS.

873-99. *Grant to the church of St. Peter, Worcester, of half the rights of Worcester Market.*

To Almighty God, true Unity and holy Trinity in heaven, be praise and glory and rendering of thanks, for all his benefits bestowed upon us. Firstly for whose love and for St. Peter's and the church at Worcester, and at the request of Werfrith the bishop, their friend, Aethelraed the ealdorman, and Aethelflaed commanded the burh at Worcester to be built, and eke God's praise to be there upraised. And now they make known by this charter that of all the rights which appertain to their lordship, both in market and in street, within the byrg and without, they grant half to God and St. Peter and the lord of the church; that those who are in the place may be the better provided, that they may thereby in some sort easier aid the brotherhood, and that this remembrance may be the firmer kept in mind, in the place, as long as God's service is done within the minster. And Werfrith, the bishop, and his flock have appointed this service before the daily one, both during their lives and after, to sing at matins, vespers, and undernsong the psalm *De Profundis*, during their lives, and after their death *Laudate Dominum*; and a mass for them whether alive or dead. Aethelraed and Aethelflaed proclaim that they have thus granted with goodwill to God and St. Peter, under witness of Aelfred the king and all the witan in Mercia; ... as for ... wohcéapung,^[1] and all the customs from which any fine may arise, let the lord of the church have half of it, for God's sake and St. Peter's, as it was arranged about the markets and the streets; and without the market-place let the bishop enjoy his rights, as of old our predecessors decreed and privileged. Aethelread and Aethelflaed did this by witness of Aelfred the king, and by witness of those witan of the Mercians whose names stand written hereafter, and in the name of God Almighty they abjure all their successors never to diminish these alms which they have granted to the church for God's love and St. Peter's.

Kemble, *Codex Diplomaticus*, No. 1075. *Saxons in England*, I. 328.

904. *Grant by Edward of Wessex, son of King Alfred, to the church of Winchester of Taunton Market.*

I Edward, who by divine and indulgent clemency am king of the Anglo-Saxons, ... consent of my magnates whose names are written below, ... grant for ever the market of the town of Taunton, which in English is called *thaes tunes cyping*, ... to the holy church of God in the city of Winchester, ... without limitation or impediment and with all easements.^[2]

Kemble, *Codex Diplomaticus*, No. 1084.

968. *Confirmation of Edward's grant by Edgar.*

Here is made known in this writing how King Edgar renewed the liberty of Taunton, for the Holy Trinity and St. Peter and St. Paul, to the episcopal see of Winchester, as King Edward had before freed it, ...; and let the town's market and the produce of the town-dues go to the holy place, as they did before, in the days of my forefathers, and were levied for Bishop Aelfeah and every one of those who enjoyed the land. Whoever will increase this liberty, may God increase his prosperity in a long life here and in eternity. But if any, through audacity and the instigation of the devil and his limbs, will violate this liberty or pervert it to another, unless ere his departure hence he make reparation, be he with malediction cut off from the communion of our Lord and all his saints, and ever be tormented in hell torture, with Judas who was Christ's betrayer.

Thorpe, *Diplomatarium Anglicum Aevi Saxonici*, 235.

Circa 901-21. Law of Edward and Guthrum.

If any man engage in Sunday marketing, let him forfeit the chattel, and twelve ores among the Danes, and thirty shillings among the English.

Thorpe, *Ancient Laws and Institutes*, 73.

Circa 1020. Charter of Canute.

We admonish that men keep Sunday's festival with all their might, and observe it from Saturday's noon to Monday's dawning; and no man be so bold that he either go to market or seek any court on that holy day.

Stubbs, *Select Charters*, 76.

N.B.—These latter enactments were chiefly distinguished by their breach, for throughout the middle ages English markets were frequently held on Sunday. They were probably abortive attempts on the part of pious legislators to end a custom which seemed to them ungodly.

EFFECT OF THE CONQUEST.

In Domesday Book there is evidence of a considerable number of markets which had existed in England under Edward the Confessor, and which usually yielded to their holders an annual profit of from 20s. to 40s., in those days large sums of money. New markets were in some cases established by the Norman lords who acquired English lands, and they tended to disorganise the market economy.

1087. *The ruin of the bishop's market at St. Germans.*

The bishop has a lordship called St. Germans. In that lordship, on the day on which King Edward lived and died, there was a market held on Sunday. And now it is made nothing by the market set up close at hand by the count of Mortain in his castle, on the same day.

Exon. Domesday (Rec. Com.), 182, 470.

1087. *Necessity to change the day of the market at Hoxne in Suffolk.*

Ailmarus, the bishop, held Hoxne in the time of King Edward.... In this manor there was a market in the time of King Edward and afterwards. William the king came, and the market was held on Sunday. And William Malet made his castle at Eye; and on the same day on which there was a market in the bishop's manor, William Malet made another market in his castle, and that so much to the detriment of the bishop's market that this was of little worth. Now therefore it is held on Friday, but the market of Eye still takes place on Sunday.

Domesday (Rec. Com.), II. 379.

1087. *Abolition of Launceston Market.*

The canons of St. Stephen hold Launceston. Thence the count of Mortain has now taken a market, which was situated there in the days of King Edward, and which was worth 20s.

Domesday (Rec. Com.), I. 120b.

It appears always to have been the intention of the Government that markets and fairs should be held only in the stronger places of the country, where the just and peaceful transaction of business could be secured. Such a situation was in the later middle ages the rule, but that in an early period it was not universal appears from the existence of legislation on the subject.

1066-87. *Law of William the Conqueror.*

We forbid that any market or fair be held or suffered except in the cities of our realm and in the walled boroughs and in castles and in the safest places, where the customs of our realm, and our common right, and the dues of our crown, which were constituted by our good predecessors, cannot suffer loss nor fraud nor violation; for we will that all things be done with right forms and openly, and in accordance with judgment and with justice.

Thorpe, Ancient Laws and Institutes, 212.

NEW CREATIONS.

1214. *Grant of a market and fair to William of Lancaster.*

THE KING TO THE SHERIFF OF WESTMORELAND GREETING.

Know that we have granted to our beloved and faithful William of Lancaster that we have every week a market at his manor of Barton on Thursday, and that he have a fair there every year to last two days, the vigil and the feastday of All Saints. And therefore we command you to cause that the said William have the market and fair according to the tenor of our charter which he has.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 173.

1215. *Grant of a market to the men of Beer Hackett.*

THE KING TO THE SHERIFF OF DORSET GREETING.

Know that we have granted to our men of Beer that they have a market at Beer every week on Wednesday, so that it be not to the injury of neighbouring markets. And therefore we command you to cause them thus to have that market.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 220.

1205. *Creation of a royal fair having for three years special privileges.*

Mandate to the sheriff of Oxford that he cause a fair to be at Wallingford every year to last for four days, for Friday in Pentecost week and the three following days, and that that fair be free and quit of toll and all customs which pertain to such fairs for three years.

Given by the Lord King at Oxford on the 28th day of March.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 24.

A fair or market was sometimes bought from the crown.

1221. *Remission of the price of the right to hold a market and fair.*

THE KING TO THE BARONS OF THE EXCHEQUER GREETING.

Know that for God's sake we have pardoned the abbot of Hale the palfrey by which he made fine to us for having a market every week on Wednesday at Hale, and a fair every year lasting for two days, the eve and the feastday of St. Dennis, that thus he may make two chalices in his abbey.

Cal. Rot. Lit. Claus. (Rec. Com.), 477.

1298. *To the Sheriff of Hereford.*

Order to supersede entirely the levying of 11 marks from Miles Pychard, for the fee of a charter of fair and market granted in the twenty-third year of the reign, as Miles paid this sum into the wardrobe by the hands of John de Droknesforde, keeper thereof.

Cal. of Close, 1296-1302, 171.

A Fair which was Farmed.

1331. TO THE TREASURER AND BARONS OF THE EXCHEQUER.

Order to cause William de Pynlande, clerk, to be discharged of 50s. yearly for the fair of Lopen in Somerset, ... the king having committed the fair to Gilbert Talebot for the term of twenty years.

Cal. of Close, 1330-3, 265.

Some precautions were taken that new markets and fairs should not be established where they would damage those which already existed. A saving clause to this end was usually inserted in the grants.

1205. *Grant of a market at Wilton.*

THE KING TO THE SHERIFF OF HEREFORD GREETING.

Know that we have granted to Henry de Longchamp that he have a market at Wilton every Tuesday, so that it be not to the injury of neighbouring markets. And therefore we command you to cause that he hold it, and to cause this to be proclaimed throughout your bailiwick.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 50.

Provision against Encroaching Markets.

1205. THE KING TO THE SHERIFF OF LINCOLN GREETING.

Because we granted to our beloved Thomas of Muleton a market to be held at Flete every week on Sunday, before we granted to Fulk of Oyri his market at Gedney on the same day: we will that the said Thomas stand and hold as we granted to him, and that Fulk's market be on another day. And therefore we command you that you cause this to be done.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 20.

1214. THE KING TO THE SHERIFF OF OXFORD GREETING.

We command you that the market of Crowmarsh, which is held to the injury of our market at Wallingford, and which by our precept was forbidden to be held for one turn, be prohibited and entirely abolished.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 175.

1222. THE KING TO THE SHERIFF OF SOMERSET GREETING.

We have heard that a market has been newly established without warrant at Wechat to the detriment of the market of Dunster. And therefore we command you that if so it be, then without delay you cause such market to be forbidden, so that for the future no market be there held to the detriment of the market of Dunster.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 527b.

MARKET-PLACES.

Markets and fairs were held sometimes in open and outlying places, as at Smithfield; but more frequently in central parts of their towns—in graveyards, in the market-places of which many survive, and in the streets. The last case has named streets in many English towns "Cheap" or "Cheapside," for "cheap" meant "market."

1223. THE KING TO THE MAYOR AND BAILIFFS OF LINCOLN GREETING.

We command you that on our behalf you cause to be forbidden that any market be held in future at Lincoln in the graveyards, but that the markets be held in the streets of that city, where best and most adequately you shall provide that they be.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 547.

1233. The king has granted to Hamo de Crevecquer that the market, which has been used to be held every week on Sunday at Brenchley in the graveyard of the church, be held henceforth on the land of Hamo of Brenchley, and that he and his heirs have there every year a fair to last three days, the vigil, the day and the morrow of the feast of All Saints. And the sheriff of Kent is commanded to cause that market and the fair to be proclaimed, and to be held as aforesaid.

Cal. of Close, 1231-4, 234.

1234. The king has granted to the prior and the brethren of the bridge of Lechlade that they have for ever at Lechlade bridge every year a fair, to last for five days, the eve and the feastday of the Decollation of St. John the Baptist and the three following days.

Cal. of Close, 1231-4, 398.

1235. The king has conceded to Henry, Abbot of St. Edmund, that he and his successors have yearly for ever two fairs in the suburb of the town of (Bury) St. Edmunds, namely one outside the north gate, outside the town, beside the hospital of St. Saviour, to last for three days, the eve, the day, and the morrow of the feast of the Transfiguration of the Lord; and another outside the south gate of the town, likewise to last for three days, the eve, the day, and the morrow of the feast of the Translation of St. Edmund: unless such fairs be to the injury of neighbouring fairs. And the sheriff is commanded to cause this charter to be read in full county court, and these fairs to be proclaimed and held.

Cal. of Close, 1234-7, 61.

Encroachments on market-places were not lawful without special licence.

1123. *Foundation of the Priory of St. Bartholomew on part of Smithfield market-place by Rahere, first prior.*

Since the place godly to him (Rahere) shown was contained within the king's market, of the which it was not lawful to princes or other lords, of their proper authority, anything to diminish, neither yet to so solemn an obsequy to depute: therefore, using ... men's counsel, in opportune time he addressed him to the king, and before him, and the Bishop Richard (de Belmeis, Bishop of London) being present, the which he had made to him favourable before, effectually expressed his business, and that he might lawfully bring his purpose to effect meekly besought. And nigh him was he (St. Bartholomew) in whose hand it was, to what he would the king's heart to incline, and ineffectual these prayers might not be, whose author is the apostle, whose gracious hearer was God: his word therefore was pleasant and acceptable in the king's eye. And when he had weighed the good will of the man prudently, as he was witty, he granted to the petitioner his kingly favour, benignly giving authority to execute his purpose. And he, having the title of the desired possession, of the king's majesty, was right glad.

Book of the Foundation of the Church of St. Bartholomew, London. Original Latin version (Cotton MS., Vesp., B. IX., fols. 41-3), written 1174-89. Old English version written about 1400 and edited by Norman Page.

In the greater markets particular places were assigned to the sellers of particular wares.

Ancient Regulation of Oxford market renewed in 1319.

The sellers of straw, with their horses and carts that bring it, shall stand between East Gate and All Saints' church, in the middle of the king's highway.

The sellers of wood in carts shall stand between Shydyerd Street and the tenement sometime of John Maidstone....

The sellers of timber shall stand between the tenement which is called St. George's Hall and St. Edward's Lane....

The sellers of hogs and pigs shall stand between the churches of St. Mary and All Saints and on the north side of the street.

The ale or beer shall stand between St. Edward's Lane and the tenement sometime of Alice de Lewbury on the south side of the king's highway.

The sellers of earthen pots and coals shall stand between the said lane of St. Edward and the tenement sometime of John Hampton ... and from that place upward.

The sellers of gloves and whittawyers shall stand between All Saints' church and the tenement which was sometime John the Goldsmith's....

The sellers of furs (? monianiorum) and linendrapers and langdrapers shall stand from the tenement which was John the Goldsmith's to the tenement of the abbot of Osney, in the corner, which John Smith sometime inhabited.

The bakers selling bread called Tutesyn shall stand between the shop which Nicholas the Spicer now holdeth and the tenement which John Coyntroyer holdeth.

The foreign^[3] sellers of fish and those that are not free or of the Gild shall stand on market days behind the said sellers of bread, towards the middle of the street.

The foreign or country poulterers shall stand between Mauger Hall and the tenement called Somenois Inn....

The sellers of white bread shall stand on each side of Quatervois, from the north head thereof toward the south.

The tanners shall stand between Somenois Inn and Quatervois.

The sellers of cheese, eggs, milk, beans, new peas, and butter, shall stand on Quatervois Corner on each side of the way towards the Bailly.

The sellers of hay and grass at the pillory.

The sellers of rushes and brooms opposite to the Old Drapery.

The sellers of corn shall stand between North Gate and Mauger Hall.

The fruiterers ... shall stand from Guildhall down towards Knap Hall.

The sellers of herbs ... shall stand from Knap Hall towards Quatervois.

The sellers of dishes ... between Baptys Inn and Stokenrow, near to the Palace.

The sellers of fresh fish which are of the Gild shall stand as they were formerly wont to do, under the palace of Nicholas the Spicer.

The sellers of wood from the great Jewry to the tables where fish is sold.

The carts with thorns and bushes shall stand between North Gate and Drapery Hall on the west side of the street.

Oxford Hist. Soc., *Collectanea*, II. 13 (reprint of MS. of Anthony Wood).

SMITHFIELD HORSE AND CATTLE MARKET UNDER HENRY II.

Outside one of the gates there (in London), immediately in the suburb, is a certain field, smooth (Smith) field in fact and name. Every Friday, unless it be a higher day of appointed solemnity, there is in it a famous show of noble horses for sale. Earls, barons, and many citizens who are in town, come to see or buy. It is pleasant to see the steppers in quick trot going gently up and down, their feet on each side alternately rising and falling. On this side are the horses most fit for esquires, moving with harder pace yet swiftly, that lift and set down together, as it were, the opposite fore and hind feet; on that side colts of fine breed who, not yet well used to the bit,

"Altius incedunt, et mollia crura reponunt."^[4]

In that part are the sumpter horses, powerful and spirited; here costly chargers elegant of form, noble of stature, with ears quickly tremulous, necks lifted, haunches plump. In their stepping the buyers first try for the gentler, then for the quicker pace, which is by the fore and the hind feet moving in pairs together. When a race is ready for such thunderers, and perhaps for others of like kind, powerful to carry, quick to run, a shout is raised, orders are given that the common horses stand apart. The boys who mount the wing-footed, by twos or threes, according to the match, prepare themselves for contest; skilled to rule horses, they restrain the mouths of the untrained with bitted bridles. For this chiefly they care, that no one should get before another in the course. The horses rise too in their own way to the struggle of the race; their limbs tremble, impatient of delay they cannot keep still in their place; at the sign given their limbs are stretched, they hurry on their course, are borne with stubborn speed. The riders contend for the love of praise and hope of victory, plunge spurs into the loose-reined horses, and urge them none the less with whips and shouts. You would think with Heraclitus everything to be in motion, and the opinion to be wholly false of Zeno, who said that there was no motion and no goal to be reached. In another part of the field stand by themselves the goods proper to rustics, implements of husbandry, swine with long flanks, cows with full udders, oxen of bulk immense, and woolly flocks. There stand the mares fit for plough, dray and cart, some big with foal, and others with their young colts closely following.

William Fitzstephen, *Description of the Most Noble City of London*, prefixed to his *Life of Thomas à Becket*. (Translation by H. Morley, prefatory to his edition of Stow's *Survey of London*.)

SPECIAL PRIVILEGES.

In some cases the king gave his special protection to markets and fairs.

1133. *Charter of Henry I. to the Priory of St. Bartholomew, Smithfield.*

I give my firm peace to those who come to the fair which is wont to be held on the feast of St. Bartholomew in that place (Smithfield), and to those who go thence; and I command that no royal servant implead them, nor exact from those who come customs, without the consent of the canons, on these three days, on the eve of the feast, on the feastday, and on its morrow.

Printed in Dugdale, *Monasticon*, VI. 296.

Charter of Henry II. to the burghers of Nottingham.

... Moreover all who come to the market of Nottingham shall not suffer distraint, from Friday evening until Sunday evening, except for the king's farm.

Stubbs, *Select Charters*, 167.

PIED POUUDRE COURTS.

The term "Pied Poudre" or "Pie Poudre" is generally held to be derived from the French *pieds poudrés*, that is, dusty feet, and perhaps arose from the fact that the courts so called were frequented by chapmen with dusty feet, or less probably from the celerity of the judgments which were pronounced while the dust was on the feet of the litigants. The existence of such courts, in connection with fairs, was common to England and the continent. It is possible that in some cases and in an early period the business of fairs was not transacted in a special court. On the other hand, the distinctive feature of Pied Poudre Courts, the method of trial by the persons best qualified to judge, the merchants, was akin to the spirit of English law. Therefore it is probable that they were very early introduced into England.

Definition of Pied Poudre Courts.

Divers fairs be holden and kept in this realm, some by prescription allowed before justices in eyre, and some by the grant of our lord the king that now is, and some by the grant of his progenitors and predecessors;

And to every of the same fairs is of right pertaining courts of pipowders, to minister in the same due justice in his behalf;

In which court it hath been all times accustomed, that every person coming to the same fairs, should have lawful remedy of all manner of contracts, trespasses, covenants, debts, and other deeds made or done within any of the same fair, and within the jurisdiction of the same, and to be tried by merchants being of the same fair.

Statute, 17 Edward IV., cap. 2.

The manner of holding a Pied Poudre Court, sometimes called *riding the fair*.

1277. Award between the barons of the (Cinque) Ports and the men of Great Yarmouth.

With regard to the claim of the said barons to have at Yarmouth royal justice and the keeping of the king's peace in time of the fair lasting for forty days, they are to have the keeping of the king's peace and to do royal justice, namely during the fair they are to have four serjeants, of whom one shall carry the king's banner, and another sound a horn to assemble the people and to be better heard, and two shall carry wands for keeping the king's peace, and this office they shall do on horse-back if they so wish. The bailiffs of the Ports together with the provost of Yarmouth are to make attachments and plead pleas and determine complaints during the fair, according to law merchant, and the amercements and the profits of the people of the Ports are to remain to the barons of the Ports, at the time of the fair, and the profits and amercements of all others who are not of the Ports to remain to the king by the bailiffs of Yarmouth. The aforesaid bailiffs of the barons of the Ports together with the provost of Yarmouth are to have the keeping of the prison of Yarmouth during the fair, and if any prisoner be taken for so grave a trespass that it cannot be determined by them in time of fair, by merchant law, nor the prisons delivered, such persons to remain in the prison of Yarmouth until the coming of the justices.

Cal. of Pat., 1272-81, 203.

The court of Pied Poudre is specified in later grants of fairs.

1462. Charter of Edward IV. to the city of London.

We have ... granted to the ... mayor and commonalty and citizens, and their successors for ever, that they shall and may have yearly one fair in the town aforesaid (Southwark) for three days, that is to say the seventh, eighth and ninth days of September; to be holden together with a court of pie-powder, and with all liberties and free customs to such fair appertaining; and that they may have and hold there at their said courts, before their said ministers or deputy, the said three days, from day to day and hour to hour, from time to time, all occasions, complaints and pleas of a court of pie-powder, together with all summons, attachments, arrests, issues, fines, redemptions and commodities, and other rights whatsoever, to the same court of pie-powder any way pertaining.

Birch, Charters of City of London, 82.

The Londoners could hold their own Pied Poudre Courts in all fairs of England.

1327. Charter of Edward III. to the city of London.

And forasmuch as the citizens, in all good fairs of England, were wont to have among themselves keepers to hold the

pleas touching the citizens of the said city assembling at the said fairs: we will and grant, as much as in us is, that the same citizens may have suchlike keepers, to hold such pleas of their covenants, as of ancient time they had, except the pleas of land and crown.

Birch, *Charters of City of London*, 55.

1298. To all stewards, bailiffs, and officers of the fair of St. Botolph and other faithful of Christ to whom the present letters shall come, Henry le Galeys, mayor of the city of London, as well as the whole commune send greeting. Know ye that we have made and constituted our beloved in Christ Elyas Russel, John de Armenters, William de Paris and William de Mareys, our wardens and attorneys at the present fair of St. Botolph, to demand and claim and exact all our citizens who are for any cause arrested or impleaded in any of your courts, and for executing full justice in all complaints against them according to the law merchant, ratifying and holding good anything they or any one of them may do in the premises, and in all other things which they or any one of them shall deem to affect in any way the liberties of the city and our citizens. In witness whereof we have set our common seal to these presents.

London, Sunday the Feast of St. Margaret the Virgin, 26 Edward I.

Sharpe, *Cal. Letter Books of Corporation*, B. 219.

PROFITS.

Besides fines the *tolls* were the most general source of profit. They were duties which the tenant of a market might exact on goods brought into the market and sold there.

1275. *Statute against exorbitant tolls.*

Touching them that take outrageous toll, contrary to the common custom of the realm, in market towns, it is provided that if any do so in the king's town, which is let in fee-farm, the king shall seize into his own hand the franchise of the market; and if it be another's town, and the same be done by the lord of the town, the king shall do in like manner; and if it be done by a bailiff or any mean officer, without the commandment of his lord, he shall restore to the plaintiff as much more for the outrageous taking as he had of him, if he had carried away his toll, and shall have forty days' imprisonment.

Statute, 3 Edward I., cap. 31.

Tolls were not necessarily levied. In later mediæval times it was held illegal for the holder of a market to exact them unless he could prove his prescriptive right to do so, or unless, in the case of a market erected by a charter, such right had been explicitly granted.

1233. Because it has been certified to the king, by an enquiry made in accordance with his precept, that in the fair of Shalford, which is held there every year on the feast of the Assumption of Blessed Mary, it has never been customary to take toll or custom, except at the time when John of Gatesden was sheriff of Surrey, who of his own will ruled that toll should there be taken: therefore the sheriff of Surrey is commanded that he take no custom in that fair nor suffer it to be taken, and that he cause public proclamation and prohibition to be made, that in future none take toll on the occasion of that fair.

Cal. of Close, 1231-5, 245.

Stallkeepers made payments called *stallage* for the sites they occupied to the holder of the market or fair.

1331. The profits of the bailey of Lincoln, to wit of vacant plots..., and stallage in the said vacant plots in the times of fairs and markets.

Cal. of Close, 1330-3, 255.

The analogous payment of *piccage* was for the breaking of the ground in order to erect stalls.

1550. *Grant of Southwark Fair to the city of London.*

... The mayor and commonalty and citizens, and their successors, shall and may, from henceforth for ever, have, hold, enjoy and use ... tolls, stallages, piccages.

Birch, Charters of City of London, 122.

A duty called *scavage* or *shewage* was exacted from strangers who sold in the fairs.

I have heard also that our townsmen (of Oxford) in their fair, which they keep at Allhallowtide, do exact of strangers a custom for opening and shewing their wares, vendible, &c., which is called scavage or shewage.

Oxford Historical Society, *Charter of Henry II. to the citizens of Oxford.*, II. 2 (from Twyne's MSS. in the Bodleian).

In 1503 it was rendered illegal, except in the case of London, to take scavage from denizens, otherwise from subjects of the king who were of alien birth, so long as they sold goods on which due customs had already been paid.

1503. Be it therefore ordained ... that if any mayor, sheriff, bailiff, or other officer in any city, borough or town within this realm, take or levy any custom called Scavage, otherwise called Shewage, of any merchant denizen, or of any other of the King's subjects denizens, of or for any manner of merchandise to our Sovereign lord the King before

truly customed, that is brought or conveyed by land or water, to be uttered and sold in any city, borough, or town in this land, ... that then every mayor, sheriff, bailiff, or other officer, distraining, levying, or taking any such Scavage, shall forfeit for every time he so offendeth £20, the one moiety thereof to our Sovereign lord the King, and the other moiety thereof to the party in that behalf aggrieved, or to any other that first sueth in that party by action of debt in any shire within this realm to be sued.... Provided always that the mayor, sheriffs, and commonalty of the city of London, and every of them, shall have and take all such sums of money for the said Scavage, and of every person denizen, as by our Sovereign lord the King and his honourable council shall be determined to be the right and title of the said mayor, sheriffs, and commonalty of the said city of London, or any of them.

Statute, 19 Henry VII., cap. 8.

Certain citizens and burghers, who had the privilege of free trade in England or throughout the king's dominions, were exempt from paying tolls or other customs.

Charter of Henry I. to the citizens of London.

... Let all the men of London be quit and free, and their goods, both throughout England and in the seaports, of toll and passage^[5] and lastage^[6] and all other customs.

Stubbs, *Select Charters*, 108.

1384. The Mayor and Aldermen of the City of London to the Abbot and Bailiffs and Good Folk of the Town of Colchester.

Desiring them to restore to William Dykeman, Roger Streit, William Fromond, and Henry Loughton, citizens of London, the distress they had taken from their merchandise for piccage at Colchester fair; and to cease in future to take custom of citizens of London, inasmuch as they are and ought to be quit of piccage, and of all manner of custom throughout the King's dominion, by charter granted to them by the King's ancestors. The Lord have them ever in his keeping.

London. 8th June, 38 Edward III.

Sharpe, *Cal. Letters of City of London*, 105.

Charter of Henry II. to the citizens of Oxford.

... I have granted to them moreover that they be quit of toll and passage and every custom throughout England and Normandy, on earth, on water and on the seashore, by land and by strand.

Stubbs, *Select Charters*, 167.

1190. *Charter of Richard I. to the citizens of Winchester.*

... This also we have granted that the citizens of Winchester of the Merchant Gild be quit of toll and lastage and pontage^[7] in fairs and outside them, and in the seaports of all our lands, on this side the seas and beyond them.

Stubbs, *Select Charters*, 266.

1194. *Charter of Richard I. to the citizens of Lincoln.*

... This too we have granted that all citizens of Lincoln be quit of toll and lastage throughout all England and in the seaports.

Stubbs, *Select Charters*, 266.

1200. *Charter of John to the citizens of York confirming a grant by Richard I.*

... Know moreover that we have granted and by this charter have confirmed to our citizens of York quittance of any toll, lastage, wrec,^[8] pontage, passage, or trespass, and of all customs, throughout England and Normandy and Aquitaine and Anjou and Poitou. Wherefore we will and straitly command that they be thereof quit, and we forbid that any disturb them in the matter, on pain of the forfeiture of £10, as is reasonably testified in the charter of our brother Richard.

Stubbs, *Select Charters*, 312.

The Great Value of the Market of Retford.

1329. THE KING TO THE JUSTICES IN EYRE IN COUNTY NOTTINGHAM.

Order not to molest or aggrieve the men of the town of Retford before them in eyre for holding a market on Saturday in every week in that town, as the king has granted that they may hold a market there every week on the said day during the eyre aforesaid, notwithstanding the proclamation made by the justices according to custom that no market shall be held in the county during the eyre, the men having shewn to the king that they hold the town of him at fee-ferm, and he has assigned the ferm to Queen Isabella for her life, and the greatest aid they have towards levying the ferm comes from the profit of the said market, and they have prayed the king that they may hold the fair notwithstanding the said proclamation, and the king accedes to their supplication for the reason aforesaid, and because of the distance of the town of Nottingham.

Cal. of Close, 1327-30, 585.

PRE-EMPTION AND PRISAGE.

The king exercised certain rights of pre-emption, of buying articles before they were offered for sale in the open market, and of prisage, of taking from the sellers without payment certain articles for his own use.

1207. THE KING TO THE SHERIFF OF LINCOLN.

We command you that you acquit in the fair of St. Botolph all the great falcons which Henry de Hauvill and Hugh de Hauvill bought for our use in that fair, ... and moreover five hawks which they bought there for our use.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 85.

1218. THE KING TO THE MAYOR OF LYNN GREETING.

We command you that you satisfy the merchants of the fair of Lynn as to the merchandise, namely, wax and pepper and cumin, which our bailiffs took in that fair for our use, and we shall cause payment to be made to you in London after the close of the said fair.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 365.

1237. It was provided at Kennington before the king and his council, and granted by the king, that his bailiffs who are sent to fairs and elsewhere to buy wine and cloths and other merchandise for the king's use, shall take for his use no more than he have need of, and no more than shall be stated in the king's letters made for them as to the matter, nor anything for which they have not as warrant a royal brief. And when they come to fairs they shall take the wares and merchandise for which they have been sent at once and without long delay, lest any merchants be unjustly burdened by them, as formerly they have been burdened. And such bailiffs shall have letters so that four legal merchants of each fair, in the faith which binds them to God and the king, reasonably impose prices on the merchandise, in accordance with the diverse kinds of merchandise which the bailiffs have to buy.

Cal. of Close, 1234-7, 522.

1257. *Petition of the barons in the parliament at Oxford.*

The earls and barons petition ... as to the prises of the lord king in fairs and markets and cities, that those who are assigned to take the said prises take them reasonably, as much, that is to say, as pertains to the uses of the lord king; in which matter they complain that the said takers seize twice or thrice the amount which they deliver to the king's uses, and keep the rest, forsooth, for their own needs and the needs of their friends, and sell thereof a portion.

Stubbs, *Select Charters*, 385.

1417. A Court of our Lord the King, holden before Henry Bartone, Mayor, and the Aldermen, in the Guild-hall of London, on Tuesday, the 16th day of February....

William Redhede of Barnet was taken and attached, for that when one Hugh Morys, maltman, on Monday the 15th day of February, ... brought here to the city of London four bushels of wheat, and exposed them for sale in common and open market, at the market of Graschurch (Gracechurch) in the parish of St. Benedict Graschurch in the city aforesaid, the said William there falsely and fraudulently pretended that he was a taker and purveyor of such victuals, as well for the household of our said lord the king as for the victualling of his town of Harfleur; and so, under feigned colour of his alleged office, would have had the wheat aforesaid taken and carried away, had he not been warily prevented from so doing by the constables and reputable men of the parish aforesaid, and other persons then in the market; in contempt of our lord the king, and to the grievous loss and in deceit of the commonalty of the city aforesaid; and especially of the said market and of other markets in the city, seeing that poor persons, who bring wheat and other victuals to the city aforesaid, do not dare to come, by land or by water, through fear of the multitude of pretended purveyors and takers who resort thither from every side.

... And thereupon, by the said mayor and aldermen, to the end that others might in future have a dread of committing such crimes, it was adjudged that the same William Redhede should, upon the three market days then next ensuing, be taken each day from the prison of Newgate to the market called Le Cornmarket opposite to the Friars Minors (Greyfriars, whose house was on the site of Christ's Hospital), and there the course of the judgement aforesaid was to be proclaimed; and after that he was to be taken through the middle of the high street of Cheap to the pillory on Cornhill, and upon that he was to be placed on each of those three days, there to stand for one hour each day, the reason for such sentence being then and there publicly proclaimed. And after that he was to be taken from thence through the middle of the high street of Cornhill to the market of Graschurch aforesaid, where like proclamation was to be made, and from thence back again to prison.

Riley, *Memorials of London*, 645.

MARKET HOUSES.

Already in the early thirteenth century the greater markets and fairs were held partly under cover.

1222. THE KING TO THE SHERIFF OF GLOUCESTER GREETING.

We command you that you do not suffer the market which hitherto has been held at Maurice de Gant's manor of Randwick, and which is to the injury of our town and market of Bristol, and of other neighbouring markets, as we have surely learnt. And that you cause the houses built there on account of the market to be removed without delay. So that neither ships come thither nor a market is there held otherwise than was done in the time of the Lord John, King, our father.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 499.

1303. TO THE BAILIFF OF SANDWICH.

Order to cause a house of the king in that town constructed for the king's fair there ... to be repaired by the view and testimony of John de Hoo and Thomas de Shelvyng.

Cal. of Close, 1302-7, 55.

1345. At a congregation of the mayor and aldermen, holden on the Friday next before the feast of St. George the Martyr in the 19th year of the reign of King Edward III., it was ordered for the common advantage of all the citizens dwelling in the city (of London), and of others resorting to the same ... that all foreign^[9] poulterers bringing poultry to the city should take it to the Leaden Hall, and sell it there, between Matins and the hour of Prime, to the reputable men of the city and their servants for their own eating; and after the hour of Prime the rest of their poultry that should remain unsold they might sell to cooks, regratresses (retail saleswomen), and such other persons as they might please; it being understood that they were to take no portion of their poultry out of the market to their hostels (lodgings) on pain of losing the same.

Riley, *Memorials of London*, 221.

ENFORCEMENT OF REGULARITY.

1233. Mandate to the sheriff of Hampshire that he cause strict proclamation and prohibition to be made in the town of Winchester, that no merchant of wool, cloths, and hides, do any business in wool, hides and cloths in the said town of Winchester, after the established term beyond which the fair of St. Giles is not wont to last.

Cal. of Close, 1231-4, 253.

1233. Mandate to the bailiffs of Worcester that they do not permit the fair and drapery of Worcester to be held on the feast of the Nativity of Blessed Mary elsewhere than in that place in which it was held in the time of the Lord John, father of the Lord Henry, King.

Cal. Rot. Lit. Claus. (Rec. Com.), I. 555.

1297. On Thursday next before the feast of Pentecost, in the 25th year of the reign of King Edward, it was ordered in the presence of Sir John le Bretun, warden of the city of London, and certain of the aldermen, that by reason of the murders and strifes arising therefrom between persons known and unknown, the gathering together of thieves in the market, and of cutpurses and other misdoers against the peace of our lord the king, in a certain market which had been lately held after dinner in Soper Lane (on the site of Queen Street, Cheapside), and which was called *The Neue Faire*; the same should from thenceforth be abolished, and not again be held, on pain of losing the wares both bought and sold there; the same market having been established by strangers, foreigners and beggars, dwelling three or four leagues from London.

Riley, *Memorials of London*, 33.

1317. TO THE SHERIFF OF LINCOLN.

Order to cause proclamation to be made that all persons having fairs by charters of the king or of his progenitors or otherwise, shall cause the fairs to be held in the manner and form and on the days and times according to the tenor of the charters, or as they ought to do according to the title, to wit from time out of mind, and upon no other days and times, and to summon all persons claiming to have fairs to be before the king's council at Westminster.

Cal. of Close, 1317-18, 456.

1328. It is established that it shall be commanded to all the sheriffs of England and elsewhere, where need shall require, to cry and publish within liberties and without that all lords which have fairs, be it for yielding certain farm to the king for the same or otherwise, shall hold the same for the time that they ought to hold them and no longer: that is to say such as have them by the king's charter granted them, for the time limited by the said charters; and also they that have them without charter, for the time that they ought to hold them of right.

And that every lord at the beginning of his fair shall there do, cry and publish how long the fair shall endure, to the intent that merchants shall not be at the same fairs over the time so published, upon pain to be grievously punished before the king. Nor the said lords shall not hold them over the due time upon pain to seize the fairs into the king's hands, there to remain until they have made a fine to the king for the offence, after it be duly found that the lords held the same fairs longer than they ought, or that the merchants have sitten above the time so published.

Statute, 2 Edward III., cap. 15.

1393. The ordinance underwritten was publicly proclaimed in full market in Westchepe (Cheapside), and Cornhulle (Cornhill) in London, on Thursday the 20th day of March in the 16th year.

As from of old it has been the custom to hold in the city on every feastday two markets, called *Evechepynges*, one in Westchepe and the other on Cornhulle; that is to say the one in Westchepe between the corner of the lane called St. Lawrence Lane and a house called the Cage. So always that the said lane be not obstructed by the people of the said market, who are not to stand near to the shops there for the sale of divers wares that in such shops are wont to be sold. And that too by daylight only, between the first bell rung and the second, for the said markets ordained. And now on the 10th day of March ... William Staundone, the mayor, and the aldermen of the said city, have been given to understand that divers persons at night and by candlelight do sell in the common hostels there and in other places, in secret, divers wares that have been larcenously pilfered and some falsely wrought and some that are old as being new; and that other persons do there practise the sin of harlotry, under colour of the sale of their said wares, to the very great damage and scandal of good and honest folks of the said city.

Therefore the said mayor and aldermen by wise counsel and with good deliberation between them had, for the honour of the city and in order to put the said markets under good control and governance, have ordained that from henceforth on every such market night each of the said two bells shall be rung by the beadle of the ward where it is

hung, one hour before sunset and then again half an hour after sunset. At which second ringing all the people shall depart from the market with their wares, on pain of forfeiture to the chamber of all such wares as shall, after the second bell rung, be found in the same; as to the which the beadle if he be acting, or officer by the chamber of the Guildhall thereunto assigned, shall have twopence in every shilling for his trouble in taking them. And that no one shall sell in common hostels any wares that in the said market are wont to be sold, or anywhere else within the said city or in the suburbs thereof, but only in their own shops and in the places and at the days and hours aforesaid, on pain of forfeiture to the use of the said chamber of all the wares that shall otherwise be sold.

Riley, *Memorials of London*, 532.

1320. Be it remembered that on the Monday next before the feast of St. Katherine the Virgin in the 14th year, the pork and beef of John Perer, John Esmar, and Reynald ate Watre, alleged to be foreign^[10] butchers, were seized because that they against the custom of the city (of London), had exposed the said meat for sale at Les Stokkes (the Stocks Market on the site of the Mansion House), after curfew rung at St. Martin's-le-Grand: whereas it is enacted that no foreign butcher standing with his meat at the stalls aforesaid shall cut any meat after None rung at St. Paul's; and that as to all the meat which he has cut before None rung he is to expose the same for sale up to the hour of Vespers, and to sell it without keeping any back or carrying any away.

Riley, *Memorials of London*, 142.

SUPERVISION OF SALES.

The quality of wares and the prices asked for them were supervised, and fair dealing was enforced, by officers. Sometimes, as at Oxford, these were specially appointed for the discharge of their duties. In London they were the masters or wardens of the crafts, otherwise the associations of members of one trade. When many of the crafts had developed into the livery companies the officials of the latter inherited the inspectorial functions of the wardens.

1393. Ordinance by the mayor and aldermen of London as to markets of West Cheap and Cornhill.

... That the masters or those assigned thereto of each trade of which the wares are brought to the said markets shall have power, together with the beadle of the ward or other officer thereto assigned, to survey, assay and stop all false and defective wares, in the markets aforesaid or elsewhere exposed for sale, and to present the same to the chamberlain to be there adjudged upon as to whether they are forfeitable or not; and further to arrest to the use of the said chamber all other things and wares in hostels or other places exposed for sale against the form.... Of the which forfeitures so by the said masters, or others thereto assigned, taken and adjudged as forfeited, the said masters or persons thereto assigned shall have one third part for their trouble.

Riley, *Memorials of London*, 532.

1556. *Of the clerks of the market of Oxford and of the fixing of prices.*

The clerks of the market should be chosen of such as have experience of the prices which, for necessity or convenience, pertain to food and clothing, and of such as have knowledge, power and will faithfully and diligently to fill the office enjoined on them. Especially it behoves them to see that no fraud is committed as regards the measures and weights and quality of all foodstuffs and of all things which belong to clothing, and to observe the statutes and ordinances issued in this behoof; and since, for the most part, among these commodities, high prices greatly flourish, the clerk should summon to his aid the presidents of colleges and such others of the university as he knows to be fit for the business, and should consult with them as to what course can be taken to render the prices lower.

Oxford Hist. Soc., *Collectanea*, II. 104.

1468. The assize^[11] of a tallowchandler is that he selleth salt, oatmeal, soap and other divers chaffer, that his weights and measures be assized^[12] and sealed and true beam. For when he buyeth a pound of tallow for an halfpenny, he shall sell a pound of candle for a penny, that is a farthing for the wick and the wax and another farthing for the workmanship. And right as tallow higheth and loweth, so he for to sell his candle. And if his stuff be not good, or any he lack of his weight, or any he sell not after the price of tallow, he to be amerced, the first time tweldepence, the second time twentypence, the third time forty pence, and to forfeit all that is forfeitable; and he to be judged according to the form of statutes.

Printed in Strype's edition of Stow's *Survey of London*, Book V. 344.

1327. John de Causton, citizen of London, has shown the king, by petition before him and his council, that John Dergayn, the late king's ulnager, in the eighth year of his reign, took five pieces of John's striped cloth of Gaunt (Ghent) outside his shop in Boston Fair, asserting that they were not of the assize, and that they were therefore forfeited to the late king, and delivered to Ralph de Stokes, then keeper of the king's wardrobe, and that it was afterward found, by enquiry made by the said king's order before the treasurer and barons of the Exchequer, that the cloth was of the assize and ought not thus to be forfeited, and that the cloth was worth 22½ marks; ... and he has prayed the king to cause that sum to be allowed to him.

Cal. of Close, 1327-30, 86.

1366. On the 14th day of October ... John Edmond of Esthamme (East Ham), cornmonger, of the county of Essex, was brought before John Lovekyn, mayor, and the aldermen at the Guildhall, for that he had exposed for sale at Grascherche (Gracechurch) one quarter of oats in a sack, and had put a bushel of good oats at the mouth of the sack, all the rest therein being corn of worse quality and of no value, in deceit of the common people.

Being questioned as to which falsity, how he would acquit himself thereof, the same John did not gainsay the same. Therefore it was adjudged that he should have the punishment of the pillory, to stand upon the same for one hour of the day.

Riley, *Memorials of London*, 333.

1363. On the 9th day of the month of November ... William Cokke of Hees (Hayes) was taken because that on the same day he, the same William, carrying a sample of wheat in his hand, in the market within Newgate in London

followed one William, servant of Robert de la Launde, goldsmith, who wanted to buy wheat, from sack to sack, and said that such wheat as that he would not be able to buy at a lower price than 21 pence; whereas on the same day and at that hour the same servant could have bought such wheat for 21 pence.

Upon which the same William Cokke being questioned, before the mayor, recorder, and certain of the aldermen, he acknowledged that he had done this to enhance the price of wheat, to the prejudice of all the people. It was therefore awarded by the said mayor and aldermen that the said William Cokke should have the punishment of the pillory.

Riley, *Memorials of London*, 314.

1362-90.

To Wye and to Wychestre I went to the faire,
With many menere marchandise as my Maistre me hight,^[13]
Ne had the grace of guile ygo^[14] amonge my ware,
It had be unsolde this sevene yeaere, so me god helpe!

The Vision of Piers the Plowman, Lines 205 *et seq.*

FOREIGN MERCHANTS.

1233. Mandate to the bailiffs of Peter de Dreux, count of Brittany, in the fair of St. Botolph, that every week, for so long as the fair lasts, they shall cause thrice to be proclaimed throughout that fair that no merchant bringing wine for sale to England, whether wine of Gascony, of Anjou, of Oblenc (Le Blanc on the Creuse), of Auxerre, or of other place, shall after this fair of St. Botolph bring to England any dolium of wine which contains less than it was wont to hold in the time of Henry, Richard and John, kings.

Cal. of Close, 1231-4, 223.

1235. THE KING TO HIS BAILIFFS OF YARMOUTH GREETING.

Know that we have granted by our charter for us and our heirs to our beloved citizens of Cologne that they may go freely to the fairs throughout our land, and buy and sell in the town of London and elsewhere, save for the liberty of our city of London.

Cal. of Close, 1234-7, 216.

1279. TO WILLIAM DE BRAYBOEF, KEEPER OF THE PRIORY OF WINCHESTER.

Order to send to the king the 310 marks which Reyner de Luk and his fellows, merchants of Lucca, lent to William at the last fair of St. Giles at Winchester.

Cal. of Close, 1272-9, 519.

1327. The bailiffs of Boston Fair ... have arrested wool and other goods of Taldus Valoris and his fellows, merchants of the society of the Bardi of Florence, in the said fair.

Cal. of Close, 1327-30, 221.

1276. TO JOHN BEK AND PHILIP DE WYLBY.

Order to restore upon this present occasion to the merchants of Douay in Flanders their goods arrested by John and Philip; for the king lately ordered John and Philip to arrest the wool and goods of merchants of Flanders in Boston Fair and at Lynn and Lincoln, yet it was not his intention that the goods of certain persons should be arrested, but that all goods and wares of Flemings should be arrested at one and the same time everywhere in the realm, by reason of the debt which the countess of Flanders owes to him and the merchants of the realm; and by reason of the neglect of the agreement between the king and countess; and the king did not then recollect his grant to the Flemish merchants that they might safely come into the realm and stay until the feast of St. Peter ad Vincula last past.

Cal. of Close, 1272-9, 308.

1293. TO THE STEWARD OF THE BISHOP OF WINCHESTER, LATE KEEPER OF THE FAIR OF WINCHESTER.

Order to cause to be delivered to Robert de Basing, citizen of London, two bales of cloth, which Robert lately bought from the merchants of St. Omer in the fair aforesaid, and which the steward caused to be arrested under pretext of the king's order to arrest the goods and wares of merchants of the power and lordship of the count d'Artois; as Robert de Tybetot has become surety before the king for the said Robert that he will answer to the king for the bales in the next parliament.

Cal. of Close, 1288-96, 302.

1328. TO THE SHERIFF OF HUNTINGDON.

Order not to arrest the goods of the men or merchants of Mechlin in Brabant, and not to molest them by virtue of any order to arrest goods of the men and merchants of the power of the duke of Brabant, in the fair of St. Ives or in his bailiwick, as the king learns that Mechlin belongs to the count of Hainault, Holland and Zeeland, and not to the duke of Brabant.

The like to the abbot of Ramsey's bailiff of the fair of St. Ives.

Cal. of Close, 1313-18, 408.

1364. TO THE BAILIFFS OF GREAT YARMOUTH AND THE COLLECTORS OF CUSTOMS THERE.

Order to suffer fishermen from Flanders and elsewhere over sea, who shall come within the realm for taking herring of the present season and bringing them to Yarmouth Fair, to take with them to their own parts or elsewhere, without let, at their will, all the money they shall receive for the price of herrings brought thither and sold at the said fair, after paying the customs due thereupon, ... although lately the king caused proclamation to be made throughout the realm forbidding any man, under pain of forfeiture, to take or cause to be taken out of the realm gold or silver in money or otherwise: as, willing to shew favour to the said fishermen, the king has given them license under his protection to come within the realm, and take at sea what herring they may, receive money in gold for what they shall sell, and take the same with them whither they will, as they shall deem for their best advantage.

Cal. of Close, 1364-8, 30.

MISCELLANEOUS POINTS OF INTEREST.

Special Organisation of Citizens of York in Boston Fair.

1275. TO THE BAILIFFS OF BOSTON.

Order to permit the citizens of York to have, until otherwise ordered, their hanse^[15] and gild merchant in Boston Fair, as they ought to have them there and in times past have been wont to have them.

Cal. of Close, 1272-9, 65.

Dress of London Women.

1281. It is provided and commanded that no woman of the city (of London) shall from henceforth go to market or in the king's highway, out of her house, with a hood furred with other than lambskin or rabbitskin, on pain of losing her hood to the use of the sheriffs; save only those ladies who wear furred capes, the hoods of which may have such linings as they may think proper. And this because that regratresses, nurses and other servants, and women of loose life, bedizen themselves and wear hoods furred with gros vair and minever, in guise of good ladies.

Riley, Memorials of London, 20.

Unlawfulness of Bearing Arms at Fairs.

1328. It is shewn to the king on behalf of John Wynter of Norwich and Thomas Wynter of Norwich, merchants, that they lately went with their goods and wares to the abbot's fair at Reading, to trade there with the same and for no other purpose. And although they wore no armour save two single aketons, to wit one each, and that only by reason of the dangers of the road and not for the purpose of committing evil, the bailiffs nevertheless took and imprisoned them with their goods, and still detain them and their goods, by virtue of the ordinance of the late parliament at Northampton that no one shall go armed in fairs or markets or elsewhere, under pain of imprisonment and loss of their arms, wherefore they have prayed the king to provide a remedy. The king therefore orders the bailiffs to release the said John and Thomas and goods, upon their finding surety to have them before the king in three weeks from Michaelmas.

Cal. of Close, 1327-30, 314.

Misadventure of some Shrewsbury Merchants travelling to a Fair.

1332. TO RICHARD EARL OF ARUNDEL.

Whereas the king lately took into his protection the burgesses of Shrewsbury so that they might be free to intend their affairs and to exercise their merchandise more safely, forbidding any to do them harm; and they have shewn to the king that whereas John de Weston, Richard Biget, William son of Roger de Wythiford, and John son of Yarvord le Walssh, their fellow burgesses, lately wished to go to the town of La Pole (Welshpool) in Wales to a fair there, to ply their merchandise, Yevan ap Griffith, the earl's yeoman, with other armed Welshmen of the earl, took without cause the said John, Richard, William and John, at Cause in the Welsh marches, without the earl's lordship, as they were going to La Pole, and took them with their horses and other goods and chattels, to the value of £200, and brought them to the earl's castle of Osewaldestre (Oswestry), where they imprisoned them and where they are still detained. And although the burgesses have repeatedly requested the earl to deliver the aforesaid men and to restore their said goods and chattels, the earl has neglected to do anything in the matter; wherefore the burgesses have besought the king to provide a remedy. The king therefore orders the earl to deliver from prison the said John, Richard, William and John without delay and to restore to them their horses, goods and chattels, or, if there be any reasonable cause why he should not do this, to be before the king and his council at the octaves of Holy Trinity to inform the king.

Cal. of Close, 1330-3, 572.

DEGENERATION OF FAIRS.

In the seventeenth century and afterwards, certain fairs, notably those in and near London, had come to be little more than places of amusement, more or less disreputable.

Bartholomew Fair (in 1641).

Bartholomew Fair begins on the twenty-fourth day of *August*, and is then of so vast an extent that it is contained in no less than four several parishes, namely Christ Church, Great and Little Saint Bartholomews, and Saint Sepulchres. Hither resort people of all sorts, High and Low, Rich and Poor, from cities, towns and countries; and of all sects, Papists, Atheists, Anabaptists, and Brownists, and of all conditions, good and bad, virtuous and vicious, Knaves and fools, Rogues and Rascals.

And now that we may the better take an exact survey of the whole Fair, first let us enter into Christ Church cloisters, which are now hung so full of pictures that you would take that place, or rather mistake it, for Saint *Peters* in *Rome*; only this is the difference, those there are set up for worship, these here for sale....

Let us now make a progress through Smithfield which is the heart of the Fair, where in my heart I think there are more motions in a day to be seen than are in a term in Westminster to be heard. But whilst you take notice of the several motions there, take this caution along with you, let one eye watch narrowly that no one's hand makes a motion in your pocket, which is the next way to move you to impatience.

The Fair is full of gold and silver-drawers. Just as Lent is to the Fishmonger so is Bartholomew Fair to the Pickpocket; it is his high harvest which is never bad but when his cart goes up Holborn.[16] ... Some of your cutpurses are in fee with cheating costermongers, who have a trick now and then to throw down a basket of refuse pears, which prove cloak-pears to those that shall lose their hats and cloaks in striving who shall gather fastest. They have many dainty baits to draw a bit, and if you be not vigilant you shall hardly escape their nets. Fine fowlers they are, for every finger of theirs is a lime twig with which they catch dotterels.[17] They are excellently well read in Physiognomy; for they will know how strong you are in the purse by looking in your face, and for more certainty thereof they will follow you close, and never leave you till you draw your purse, or they for you, which they'll be sure to have if you look not to it though they kiss Newgate for it.

It is remarkable and worthy your observation to behold and hear the strange sights and confused noise in the Fair. Here a Knave in a fool's coat with a trumpet sounding, or on a drum beating, invites you and would fain persuade you to see his puppets. There a Rogue like a wild woodman, or in an Antic-shape like an Incubus, desires your company to view his motion; on the other side Hocus Pocus with three yards of tape or ribbon in's hand, shewing his art of Legerdemain to the admiration and astonishment of a company of cockloaches.[18] Amongst these you shall see a gray goose-cap, as wise as the rest, with a "what do ye lack" in his mouth, stand in his booth shaking a rattle or scraping on a fiddle, with which children are so taken that they presently cry out for these fopperies. And all these together make such a distracted noise that you would think Babel were not comparable to it. Here there are also your gamesters in action: some turning of a whimsey, others throwing for Pewter, who can quickly dissolve a round shilling into a three halfpenny saucer. Long lane at this time looks very fair and puts out her best clothes with the wrong side outward, so turned for their better turning off. And Cloth Fair is now in great request; well fare the ale-houses there. Yet better may a man fare, but at a dearer rate, in the pig-market, alias Pasty-nook or Pie-corner, where pigs are all hours of the day on the stalls piping hot, and would cry, if they could speak, "come eat me." ... Unconscionable exactions, and excessive inflammations of reckonings, made that corner of the Fair too hot for my company; therefore I resolved by myself to steer my course another way, and having once got out, not to come again in haste.

Now farewell to the Fair, you who are wise,
Preserve your purses while you please your eyes.

Reprinted in Hindley, *The Old Book Collector's Miscellany*, Vol. III.

1702-14.

By Her Majesties Permission.

This is to give Notice to all Gentlemen, Ladies and Others, that coming into May-Fair,[19] the first Booth on the Left Hand, over against Mr. Pinckeman's Booth; During the usual time of the Fair, is to be seen a great Collection of strange and wonderful Rareties, all A-live from several parts of the World.

Vivat Regina.

Advertisement in a collection at the British Museum.

1734.

At the Great THEATRICAL BOOTH ON the Bowling-Green behind the Marshalsea, down Mermaid-Court next the

Queens Arms Tavern, during the Time of Southwark Fair (which began the 8th instant and ends the 21st), will be presented that diverting droll, call'd

*The True and Ancient History of
MAUDLIN, the Merchants Daughter of BRISTOL,
AND
Her constant Lover ANTONIO,*

who she followed into Italy, disguising herself in Man's Habit; shewing the Hardships she underwent by being Shipwrecked on the Coast of Algier, where she met her Lover, who was doom'd to be burnt at a Stake by the King of that Country, who fell in Love with her and proffered her his Crown, which she dispised, and chose rather to share the fate of her Antonio than renounce the Christian Religion to embrace that of their Imposter Prophet Mahomet.

With the comical Humours of
ROGER, ANTONIO'S MAN.

And Variety of Singing and Dancing between the Acts, by Mr. Sandham Mrs. Woodward and Miss Sandham.

Particularly, A new Dialogue to be sung by Mr. Excell and Mrs. Fitzgerald. Written by the Author of *Bacchus one Day gaily striding*, etc., and a Hornpipe by Mr. Taylor. To which will be added a new Entertainment (never performed before) called

The INTRIGUING HARLEQUIN,
Or
Any Wife better than none.

With Scenes, Machines, and other Decorations proper to the Entertainment.

Advertisement in a collection at the British Museum.

GREENWICH FAIR (in 1835-6).

... Imagine yourself in an extremely dense crowd which swings you to and fro and in and out, and every way but the right one; add to this the screams of women, the shouts of boys, the clanging of gongs, the firing of pistols, the ringing of bells, the bellowing of speaking-trumpets, the squeaking of penny dittoes, the noise of a dozen bands with three drums in each, all playing different tunes at the same time, the halloing of showmen, and an occasional roar from the wild beast shows; and you are in the very centre and heart of the fair.

This immense booth, with the large stage in front, so brightly illuminated with variegated lamps and pots of burning fat, is "Richardson's," where you have a melodrama (with three murders and a ghost), a pantomime, a comic song, an overture, and some incidental music, all done in five-and-twenty minutes. The company are now promenading outside in all the dignity of wigs, spangles, red ochre, and whitening.... The exhibitions next in popularity to these itinerant theatres are the travelling menageries, or, to speak more intelligibly, the "Wild beast shows," where a military band in beef-eater's costume, with leopardskin caps, play incessantly, and where large highly coloured representations of tigers tearing men's heads open, and a lion being burnt with red hot irons to induce him to drop his victim, are hung up outside, by way of attracting visitors.

... The grandest and most numerous frequented booth in the whole fair however is "The Crown and Anchor," a temporary ballroom—we forget how many feet long—the price of admission to which is one shilling.... The dancing itself beggars description—every figure lasts about an hour, and the ladies bounce up and down the middle with a degree of spirit which is quite indescribable. As to the gentlemen they stamp their feet upon the ground every time "hands four round" begins, go down the middle and up again with cigars in their mouths and silk handkerchiefs in their hands, and whirl their partners round, nothing loth, scrambling and falling and knocking up against the other couples, until they are fairly tired out and can move no longer.

Dickens, *Sketches by Boz*.

UNWIN BROTHERS, LIMITED, THE GRESHAM PRESS, WOKING AND LONDON.

Footnotes

- [1] Fine for buying or selling contrary to the rules of the market.
- [2] Services or conveniences, yielding no direct profit, which a holder of property rights had in respect of his neighbours, *e.g.*, right of way, lights.
- [3] Foreign here denotes all persons not inhabitants of Oxford.
- [4] "Prance high, and rear their supple necks."
From Virgil's *Georgics*.
- [5] Passage was probably the due payable for the use of ferries.
- [6] The most probable explanation of lastage is that it was the due payable for the right of freely carrying away goods bought in a market.
- [7] Pontage was a due payable for crossing bridges.
- [8] The liability of shipwrecked goods to be forfeit to the king, or the local holder, other than the king, of the right of wreck.
- [9] Poulterers other than Londoners.
- [10] See previous footnote.
- [11] Regulation.
- [12] According to regulation.
- [13] Told.
- [14] Gone.
- [15] Another word for gild. *Cf.* the German Hanseatic League.
- [16] *I.e.*, from Newgate prison to Tyburn gallows.
- [17] Literally a bird said to mimic gestures, idiomatically a foolish person.
- [18] Simple fellows.
- [19] The London district of Mayfair includes the site of this fair, and was named after it.

Transcriber's Note:

Minor typographical errors have been corrected without note.

Irregularities and inconsistencies in the text have been retained as printed.

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