UM Libraries Depository

103324909003

This thesis is subject to
reserved book regulations

This Thesis Has Been

MICROFILMED

Negative No. T-1152

Form 26

THE POLICY OF THE EARLY TUDORS
RESPECTING FORESTALLING, ENGROSSING AND REGRATING.

Elmer Garrett Parsons, A.B.

SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
in the
GRADUATE SCHOOL

of the
UNIVERSITY OF MISSOURI
1912.

Approved by:
H. M. Trumbull

378.7M71
XP25

TABLE OF CONTENTS.

CHAPTER I.

ENGLISH INDUSTRIAL DEVELOPMENT FROM THE FIFTH TO THE SIXTEENTH
CENTURY, WITH A SHORT ACCOUNT OF THE LEGISLATION AGAINST FORE-
STALLERS, ENGROSSERS, AND REGRATERS IN THAT PERIOD.

Introduction: Effect of the Anglo-Saxon Conquest on England: Progress
up to the sixteenth century: Mediaeval economic organization and theory:
Just price: The history of legislation against forestallers, engrossers,
and regraters from early times to the Tudor period - - - - - 1:17.

CHAPTER II.

THE POLICY OF THE EARLY TUDORS RESPECTING FORESTALLING, ENGROSSING,
AND REGRATING.

Economic changes of the later fifteenth and early sixteenth centuries:
Appearance of the spirit of individualism: Rise of prices-causes: The
economic policy of the early Tudors: Cases illustrating this policy,
concerning the sale-of grains-of meat: Laws of Edward VI. - - - 18:42.

CHAPTER III.

THE LATER HISTORY OF LEGISLATION RESPECTING FORESTALLING, ENGROSSING,
AND REGRATING.

Growth of laissez faire doctrines: The repealing act of 1772: Common law
basis of the offences: Final act of 1844: The present reaction to the
mediaeval conception of price regulation - - - - - 43:46.

BIBLIOGRAPHY. - - - - - 47:48.

THE POLICY OF THE EARLY TUDORS RESPECTING
FORESTALLING, ENGROSSING, AND REGRATING.

CHAP. I.

ENGLISH INDUSTRIAL DEVELOPMENT FROM THE FIFTH TO THE SIXTEENTH
CENTURY, WITH A SHORT ACCOUNT OF THE LEGISLATION AGAINST FORE-
STALLERS, ENGROSSERS, AND REGRATERS IN THAT PERIOD.

The great characteristic of sixteenth century English govern-
ment was the enormous power of the ruler. Beginning, in the last quarter
of the fifteenth century, with the Yorkist king Edward IV, Parliament
had become a less and less important part of the machinery of government.
It was not called often and when called its meetings were largely
formal owing to the dominant influence of the crown. This popular absolute
monarchy, begun by the House of York, was developed more completely by the
succeeding line of kings, the Tudors. Modern investigation has shown that
such a political development was the logical outcome of certain econ-
omic-social changes that had taken place. The basis of the absolute
power was an alliance between the rulers and the middle classes,
especially the commercial classes, as opposed to the aristocratic elem-
ents of society. The Tudor monarchy was thus a popular monarchy, in con-
trast to the aristocratic parliamentary kingship of the Lancastrian
period.

In the later fifteenth and early sixteenth centuries the aristoc-
racy was made up of: a) the old feudal land-holding nobility, and b) the

newer aristocracy consisting of the richer cratsmen and merchants. It was for the protection of "the people of lesser degree" against these that the Star Chamber was instituted. The method of curbing the power of the first element has been well worked out ^{1.}; the purpose of this thesis is to show that the policy of the Tudors was as distinctly opposed to the second—the wealthy and grasping capitalists. There is no better way of showing this than a study of the economic policy of the early Tudor kings, namely Henry VII, Henry VIII and Edward VI. For this purpose I have taken one phase of that policy, namely their attitude toward forestalling, engrossing and regrating, a comparatively unworked field and yet from this viewpoint very significant. ^{2.}

The policy of these kings was to a great extent reactionary. In many ways, at a time of transition from mediaeval to modern times, they tried to restore old conditions. In order to explain the significance of their position respecting forestalling, engrossing, and regrating, therefore it is necessary to pay considerable attention to some aspects of medieval

1. A good discussion of this aspect of Henry VII's reign is to be found in Busch, England under the Tudors—Henry VII.

2. The publications of the Selden Society make such an economic-historical study easier than it would formerly have been. It is on the cases contained in the twenty-fifth volume concerning forestallers, engrossers and regraters that a great part of this study is based. (Selden Society, Select Cases before the Star Chamber, vol. 25). Material for other parts of the study has been found in other volumes of the same series.

economic life, for it was ideas and customs of that time that the Tudors attempted in part to bring back. Following this survey is a short description of the changes which were going on in the early sixteenth century, as revealing the forces opposed to the reactionary policy, and furnishing an introduction to the main portion of the thesis.

One of the greatest changes that took place after the invasions of the fifth century was that from the urban life of the Roman period to the rural life of the early middle ages. Cities and towns which during the former period had been thriving centers of trade disappeared completely. Some few, e.g. London and York, remained but with much smaller population. Instead appeared villages or manors. Each manor was a little world in itself, for with the exception of barter in the necessities of life, there was little trade with the outside world.¹ In the towns that survived there was from the first some importation of fine cloths and food; but as a whole England for centuries was made up of little self-sufficient, economically independent communities. As a result of the lack of trade roads fell into decay, and money, no longer needed as a means of exchange, dropped out of use. The fundamental reasons for this lack of trade were the prim-

1. That merchants were not numerous is shown by the fact that the word ceapman occurs only three times in the early English laws. (Ashley, Eng. Ec. Hist. I, 115). Athelstan to encourage commerce decreed that "every merchant who fares thrice across the broad sea at his own risk is thegn-right worthy."

itive character of society and the crude system of agriculture. Eight or nine bushels of rye was the maximum crop per acre of rye; the average today in England is thirty. Under such a system no surplus products for exchange could be produced. But with the return to more settled conditions and increasing contact with continental civilization, agriculture was improved and soon a surplus was being produced. Trade now revived, roads were built and money again came into use. At first carried on between neighbors, the trade soon took on a broader scope—the merchant from the next town and from the continent came with their products. Fairs and markets were established and new towns appeared. By the time of Alfred there were around thirty such towns; at the time of the Norman conquest their number had increased to about eighty. The population of the largest of these was not more than seven or eight thousand; that of the majority of them was between twenty-five hundred and four thousand. It has been estimated that out of a population of one million and a half that only some twenty-five hundred thousand lived in towns.¹ England was still predominately rural (and remained so until the end of the thirteenth century)

1. Ashley, op.cit. I, 68.

but there had been considerable progress from the self-sufficing village stage of the earlier period.

With the increase of trade some few men could give their entire time to buying and selling products. A new class—the merchants—arose in the towns. By the twelfth century their number had so increased that they began to form local organizations. As wealth increased still more a further 'division of employments' took place. In the early village there had been no specialization; with the exception of the miller and the black smith, no men gave their entire time to one particular trade. Each villager built his own house and made his own shoes, his wife wove the cloth and baked the bread. But in the towns arose the class of artisans or, as they were usually called, craftsmen. There were the bakers, the cordwainers and shoemakers, to mention a few of the numerous crafts. The position of these craftsmen is not to be thought of as the same as that of a modern laborer. They used their own labor on their own tools. At first they did not own the raw material; the man wishing a pewter bowl made, brought the pewter necessary to the craftsman, who shaped it according to directions. Later however the craftsman bought his own raw material and sold his wares in his shop or in a booth at the local fair. In contrast then to modern and

late mediaeval conditions the craftsman was, 1) his own capitalist, and 2) his trade was local in character and according to order. These considerations are important in connection with our subject. To regulate their industries and prices the various craftsmen formed organizations of their own.

The importance of these organizations—the merchant and craft guilds—from our point of view is that the local trade was to a great extent regulated by them. Much of the business of modern central governments was then done by local authorities and organizations. The main purpose of the merchant guilds was to preserve to themselves a practical monopoly of the local market. For the economic unit was then the town; the trade was inter-municipal, in contrast to its later international character. The 'foreign' merchant was required to pay tolls, to sell at set times and in designated places fixed by the local guild, and in many other ways was controlled by the latter. 'Foreign' then meant the man from the nearest town as well as from the continent. The man from Bristol was almost as much a foreigner in London as was the man from Paris or Cologne. The craft guilds likewise regulated in many ways the local manufacturing industry. They made rules for the size and quality of products, for the hours of labor and for the

admission of new members. Such regulations were in their own interest and those of the consumer. It is among the rules of these guilds also that the most important early legislation against forestallers, engrossers and regraters is found.

This sketch of the general industrial progress of England shows the origin or rather the re-appearance and nature of the problem with which this thesis is concerned. With the growth of trade and intercommunication came the question, which in the earlier centuries had been unknown: for what are these things to sell? What is to be the price of the raw materials and manufactured articles, now not made to be used at home, but to be exchanged? Buying and selling became very important in the daily lives of the people. To be specific, how determine, then, the price of a dozen herring brought to an inland town by the fishmonger, or that of a loaf of bread baked by the local baker? Such a problem is always present when trade is developed; the answer to it is determined by the intellectual and economic conditions of the time. An attempt has been made to describe the latter and a similar attempt will now be made to describe the former, as shown by their theory of prices.

The Christian theologians, who were the chief thinkers of the middle ages, were much concerned with this question, and the problems of

trade generally. It should be said that they discussed the question, not as modern economists do, to find how prices are fixed, but to lay down certain laws for human conduct—to determine how prices should be fixed. The position of the early church was clear. Christ had frequently warned men of the dangers arising from the possession of wealth. He had advised the young man to "sell his goods and give unto the poor"; he had shown the difficulty of the rich man's entering heaven. Wealth was dangerous to the welfare of one's immortal soul. Moreover, the possession of wealth was not only a religious evil it was an ethical injustice. "The use of all that is in this world", says Clement, "ought to be common to all." But through injustice certain men had acquired property and division had been caused among men, he said.¹ The wealth of one man² is the cause of another man's

1. Corp. Jur. Decr. 2 causa 12 quaestio 2. Vi. Ashley, op. cit. I, 128.

2. The following quotation from St. Ambrose illustrates this feeling: "My own sayest thou? What is it? from what secret sources hast thou brought it into this world? When thou enterst into the light, when thou camest from thy mother's womb, what wealth didst thou bring with thee? That which is taken by thee, beyond what would suffice for thee, is taken by violence. Is it that God is unjust in not distributing the means of life equally, so that thou shouldst have abundance while others are in want? Or is it rather that He wished to confer upon thee marks of kindness, while he crowned thy fellow with the virtue of patience? Thou then who hast received the gift of God, thinkest thou thou committest no injustice by keeping to thyself the means of life to many? It is

poverty. Such was the position of the early churchmen and it was plainly an outcome of the relative lack of trade in the early middle ages. But with the stirring of the quiet waters in the tenth and eleventh centuries: the establishing of fairs and markets, the growth of towns, the organization of merchant and craft guilds—the question was reopened, and on a new basis. The advantages of trade could no longer be denied. Was it wrong for a Christian to engage in trade? The conservative position was no longer tenable. How adapt the Christian ethics to the new conditions? The best discussion is that of Thomas Aquinas in his Summa Theologiae[†]. Under the head of Justice he discusses among others the questions: Is it wrong to sell a thing for more than it is worth? Is it right to buy a thing cheap and sell dear? After a long scholastic argument, he concludes that the first is opposed to the golden rule, that, since no one would like to pay more for a thing than it is worth, he should not ask it from another. The answer to the last, which amounts to a definition of the right of a merchant to any gain whatsoever, is not so easy. To it Aquinas concludes that, "to trade for the

the bread of the hungry thou keepest; it is the clothing of the naked thou lockest up; the money thou buriest is the redemption of the wretched"; Ibid. Decr. I distinctio 47 c. 8 (ed. 1618). There were, however, not great churchmen wanting in this early period who took a more rational view, e.g. Leo the great. He took about the same view as did Thomas Aquinas whose views are given below.

sake of gain, unless the gain is destined to some honorable end, is in its nature base; to trade for the sake of obtaining the necessities of life is lawfull to all. "The" reasonable end" meant to Thomas the keeping of ones family, the support of charity or of some public work. The "necessities of life" meant those things which were expected of the class to which the seller belonged- to provide these was just and reasonable. This is the great characteristic of mediaeval price doctrine, that a man should be paid according to the station of life to which he was born. To this rule exceptions must be made. It was justifiable to sell a thing for more than was paid for it- presumably what it was then worth- if while it has been in the sellers possession the price has risen. It is a sin to buy with the intention of waiting for such a rise, i.e. speculation is a sin. The only justification of the merchant's gain is that he is put to some trouble and danger in transporting goods from one place to another. In modern economic phraseology, the 'labor theory of value' was held by Aquinas. Considered as a whole his teachings represent the attitude towards trade and profits in the middle ages. As will be shown, this is substantially the attitude of the Tudor kings with whom this thesis is concerned.^{1.}

1. Aquinas' method is to give some arguments in favor of the proposition which he intends to disprove, then to answer these arguments, from the Bible or works of the church fathers, and finally to give his own conclusions based on the arguments for and against. In favor of the position

The idea which runs through all this reasoning is that there is a certain fixed value for everything, a something which it is worth regardless of the action of temporary demand and supply. This value was known as the just price. It was thought to be near the cost of production; the cost of materials and a fair return to the seller, enough, that is, to keep the seller in a condition according to his rank in society was the basis of reckoning such a price. In the case of the merchant the profit was justified owing to the risk incurred and the labor undergone in carrying the goods to the market. Anything above this was "gain", and was unjust. Such an answer was the natural one since at that time there was no "capital" and consequently no theory of profits—no theory of a separate return to merchants or craftsmen as investors.

The natural result of this doctrine of just price was the regulation of prices by civil authority. This was done by the statutory fixing of prices, especially of such common articles as bread, ale, ^{and} herring.

that a man might sell justly a thing for more than it is worth his arguments are: 1) according to the principles of Roman law a person may outwit another in a trade, 2) everyone wishes to get as much for a thing as possible, and 3) when one receives a gift, he often gives in return something more valuable than the gift itself. But all these arguments are opposed to the golden rule, for no one wishes to pay more for a thing than it is worth, hence should not ask it from any one else. His conclusions from these arguments are given above. The arguments are good examples of the best kind of scholastic arguments. The third reason given for the proposition, it is true, is rather far-fetched.

Indirectly prices were kept down to their just level by getting rid of middlemen and by the punishing of forestallers, engrossers and regraters.

As this thesis treats especially of forestalling, engrossing and regrating it will be desirable to attempt an explanation of these terms. Up to the time of Edward VI there was really no clear distinction between the three offences, in fact forestalling included the other two. However, forestalling in general meant to go ahead to meet grain or other products coming to the market with the intention of buying, to sell at a higher price. Forestallers were regarded as receiving a profit which was unwarranted as they added nothing to the value of the goods. Engrossing had two meanings; it was applied to the purchase of grain already in the market at wholesale—en gros—to sell retail or in small lots in the same market, and, secondly, to the purchase of grain standing in the fields. Regrating was a variation of the other two, consisting of buying in small quantities ^{goods} already in the market to sell at an advanced price. They were all of the nature of restrictions or restraints on the freedom of trade. The desire back of the prohibition of such practices was to secure a "natural cheapness." The feeling was strong that the middleman in any form was an evil, for as it was said, "the more hands they (the goods) pass through the dearer they grow."

The earliest English law in regard to trade is that of Athelstan^{1.} (925-940). Evidently by his time there was considerable trade with the continent for it was decreed that, "no man buy out of port any property (of value) over twenty pence; but let him buy there within, on the witness of the port-reeve, or of another unlying man, or further on the witness of the reeves at the folk-mote." A law of William the Conqueror, referred to by Coke as "the law after the conquest"^{2.} declared that, "no live stock be bought out of market."^{3.} This was probably meant to prevent the buying of stolen cattle, however, and not to prohibit forestalling.

As explained above, the local guilds to a great extent regulated the local trade. While the towns of England were never as free from royal control as those of the continent yet in matters of this kind, by grants and charters, the real governing power was in the hands of the townsmen. Among the regulations of the guilds and in the borough "customs" are many prohibitions of forestalling and similar crimes. For example among the usages of Winchester (in the thirteenth century) is the following: "no regrater shall go out of town to engross the chaffer (merchandise) upon

1. Laws made at Greatanlea (cir. 930) cap. 12. It begins, "Decrevimus porro ne quis extra opidum quicquam 20 denariis carius aestimabat, etc."

2. Third Institute, cap. 80, 0. 194-5.

3. Laws of Wm. the Conqueror, cap. 5.

pain to be forty days in the king's prison."¹ And in the ordinances of Worcester is one which shows more clearly the motives back of such rules: "also that no fisher citizen buy any fish of a foreigner, coming to supply the city, till the commons be served, if they will buy of it. And the strange victuallers (must) sell it themselves, and no other fisher on pain of lesynge (fine) of xxs." Forestalling of goods coming from foreign countries was prohibited by the same regulation.² That such measures were frequently violated is shown by the numerous cases against covetous forestallers and regraters found in the local records. One or two will illustrate this. In the records of the Fair Court of St. Ives are these entries ³: "the jurors of Bridge street present that Wm. Kemp of Bury St. Edmunds is a forestaller of woolfells, for that he lies in wait and intercepts such wares and merchandise at the end of the vill or elsewhere outside the fair, contrary to the custom and to the great damage and prejudice of the king." William Haughton was presented as a forestaller of small hams and fined two shillings. The selfish interests of the merchants is shown by another, "Let William Ram be attached to answer...., for that he meets men bringing provisions....., which he buys, and thus causes

1, Smith, English Gilds, in E. E. T. S., 1870, 353.

2. Ibid. 396.

3. Selden Society., vol. II of volume XXIII of the series, 48.

a great dearth of provisions to the great damage of the merchants!"^{1.}

The tendency in the middle ages was away from the local organizations and regulations to a national "economy", to regulation of trade and commerce by the central government. Such a change was noticeable in the last half of the thirteenth century. The time of Edward I marks a dividing point in English economic as well as political history. England was becoming a nation industrially and commercially. In the earlier period we have had to do with manorial and town regulations-how special municipal and market privileges were given to particular towns. Each royal town was connected with the king as its overlord. But from the time of Edward the industry and commerce of the kingdom is treated with as a whole. Similar customs, similar taxes, similar conditions of trade showed that the nation was coming to be the economic unit. This process begun under Edward, it may be said here, was completed under the later Tudor rulers.

The first national law prohibiting forestalling was one which has been assigned by some to Henry III, by others to Edward I.^{2.} It is not in the printed statutes but is referred to by later writers as if passed in

1. Seld. Soc. op. cit. 92.

2. "Statutum de pistoribus, etc." Translated in Beale's Criminal Law, 186-7.

Referred to as one of the earlier statutes by Coke. Third Inst., 189.

that period. It is worth quoting in full. "Be it commanded.....that no forestaller be suffered to dwell in any town, which is an open oppressor of the poor people, and of all the commonalty, and an enemy of the whole shire and country, which for greediness of his private gain doth prevent others in buying fish, grain, herring, or any other thing to be sold coming by land or water, oppressing the poor and deceiving the rich, which carrieth away such things intending to sell them more dear; the which come to merchants stranger that bring merchandise offering them to buy, and informing them that their goods might be sold more dear than they intended to sell; and an whole country or town is deceived by such craft and subtlety." The law was made to apply to those that gave counsel to forestallers as well as to those offenders themselves. The strong feeling against them is shown by the penalties fixed. For the first offence the forestaller was to be fined and lose the goods forestalled; for the second he was to be sent to the pillory; for the third he must abjure the town. The Statute of the Pillory of Henry III contains an important provision concerning forestallers. It was provided by that act that the jurymen should report for trial any forestallers, who bought before the accustomed hour or went out to meet merchants coming to the towns.¹ Under Edward III and Richard,

1. 51. Henry III st. 6, cap. iii, par. 5.

Lancastrian and Yorkist kings there was some legislation which need not be taken up here as it is hoped that the general character of the provisions of such legislation has been shown.

The motives for such legislation were mixed, No doubt the king's interest was to a great extent due to his desire to have stable prices on his progresses through the country, for at the approach of his retinue prices would likely rise, and it was well to prevent this. Moreover, as shown by one example above, the regulations against forestalling, engrossing and regrating was to prevent any breakⁱⁿ the local merchants monopoly of the market. But the primary motive seems to have been humanitarian; it was a desire to enforce the doctrine of just price in the interests of the people generally and of the commons particularly. This is the prevailing tone, that all middlemen are the 'oppressors of the poor people.'

CHAP. II.

THE POLICY OF THE EARLY TUDORS RESPECTING FORESTALLING,
ENGROSSING AND REGRATING..

The later fifteenth and early sixteenth centuries was a period of transition from mediaeval to modern times. The religious reformation, the intellectual renaissance, the discovery of the new world; all these are signs of a change in the ways of doing and of looking at things. Just as important and fundamental changes were taking place on the economic side of life. The national control over commerce was almost completed in this period. The manorial system further decayed. The beginnings of the factory system of production were made then. A new element of production - capital - was added. And finally, as a result of the first, the control of the local guilds over trade was to a great extent lost.

The first of these changes - the extension of national control over commerce and trade - has been discussed already; it was completed under the Tudors. The minutest detail was attended to by their paternal government. In the earlier period capital, in the usual sense of that word, had been

unknown; wealth could not be turned from one channel into another at will. The only form of capital was land and the slight industrial capital—the machinery owned by the craftsmen. The craftsman was his own capitalist. But in the fifteenth century the old system of manufacture was beginning to be superseded by the "domestic system". Certain richer craftsmen purchased large supplies of raw material and hired journeymen to turn it into manufactured articles. In many cases they owned the machinery. It is true that frequently the artisans worked in their own homes, i.e. the factory system was yet to come, but such a system was a great break with the past. There were now a number of journeymen who did not expect to become masters, as they would have formerly. The division between employer and employee was therefore more distinct. This tended to weaken the control exercised by the guilds. Other forces were tending to do this also. The extension of royal control over many things which were formerly done by the guilds was one. There were far-reaching changes in the guilds themselves. In many places the policy of the guild was to exclude workmen after a certain number had been reached. At first a benefit—in keeping out poor workmen—this had become a hindrance. There is a statute which shows that such an evil was widespread, which provided that, "no free person who is proper to be a freeman (guildsman) shall be through malice kept out."¹

1. Ashley, Eng. Econ. Hist. and Theory, II, 77; from Memorials. 258.

Among the masters there had appeared regular distinctions of rank. The wealthier members were known as those "of the livery", they alone being able to purchase the costly livery and to attend the social functions of the rich nobility. In 1483 four hundred and six members in mulberry coats attended the coronation of Richard III. The remaining members were known as those "not of the livery." The government of the guilds was gradually taken over by the first class of members. An oligarchic rule succeeded the democratic rule of the earlier times.

Another change took place which, though only temporary, was very important. In this period there was a great rise in prices, comparable to that of the last thirty years. The primary reason for this was the debasement of the coinage by royal action. Under Henry VII thirty seven and one half shillings were coined from a pound of silver. This was changed under Henry VIII first to forty, then to forty-five and finally to forty-eight. Under Edward VI further debasement took place; the coins were one half alloy at first, in 1545 this was changed to two-thirds, and in 1560 to three-fourths.¹ The gold coinage was also debased, although not to as great a degree. This debasement, through increasing the amount of

1. Cheyney. Ec. and Social Hist. of Eng., 169-70.

money in circulation, caused prices to rise. To this was added another cause, which became of great importance towards the middle of the century, the importation of metals from the newly discovered mines in America. Wages do not rise as fast as prices, and then, as now, the rise of prices was felt especially by the poor people.

Coming out of this transformed economic life was the new force: individualism. Before that time the individual, in any of the lines of economic or intellectual activity, counted for little. The ambition of the mediaeval man was to stand well in his class, not to rise out of it. As has been shown this was back of the whole theory of trade in the middle ages. Under the new system a man's position in the world depends on how much money he can accumulate. This has its good and its bad side—the good no doubt outweighs the bad. The bad side is that individualism often means selfishness; a spirit of self-seeking appears. A writer of that time has well described conditions:^{1.}

This is ^{2.}a city
In name, But in deed
It is a pack of people
That seek after Meed;

1. Poems of Cowper. Early. Eng. Text Soc., Cowper ed., 1872.

2. "City" referring to Aristotle's ideal city state, in which altruism ruled.

For officers and all
 Do seek their own gain,
 But for the wealth of the Commons
 No man taketh pain.
 An hell without order
 I may it well call
 Where every man for himself
 And no man for all.

The problem of the Tudor kings was therefore the same as it had been in former times-to arrive at reasonable prices in order to protect the weaker members of society. Under these new conditions the problem was more difficult.

While the economic policies of the first three Tudor kings differed in details, there was, nevertheless, a close similarity in their general features. The danger was that the poor commons would be oppressed by the wealthier classes; that the desire for individual gain would lead to distress and misery among the lower classes. To this the Tudors opposed themselves. Their government was "popular", though on a non-representative basis. Their ideal state has been well summed up as, "a well-to-do commonalty, a wealthy and numerous middle class, as much as possible on an equality, by whom the dependent laborer, kept by law at work, should

be employed,"¹. General prosperity was to be preferred to individual wealth. Edward VI wrote, "I think this commonwealth can bear no merchant to have more land than £100, no husbandman nor farmer worth more than £100 to £200, no artificer above 100 mark, and no laborer much more than he spendeth.this is sure: This commonwealth may not bear one man to have more than two farms, than one benefice, than 2000 sheep (referring to the pressing problem of enclosures), and more than one kind of art to live by. Wherefore as in the body, no part has too much or too little, so in a commonwealth ought every part to have ad victum et non ad saturutatem."² Plainly such a policy was reactionary. They were trying to bring back the mediaeval ideas of social organization. An attempt to carry out their policy was made in many ways, notably in their opposition to the enclosure movement and to forestalling, engrossing and regrating.

After the more pressing problems of baronial control had been solved by the vigorous action of the Star Chamber, that body turned its attention to the economic-legal questions of the time. A great part of this was directed to the regulation of trade, and especially to the

1. Busch, Hist. of Eng. under the Tudors-Henry VII., 276-7. Applied there to Henry VII but equally applicable to Henry VIII and Edward VI.

2. Discourse about the Reformation of Many Abuses, Temporal Regimen.
Quoted in Cunningham, Eng. Ec. Hist., I, 498.

supply of food-stuffs + bread, meat and ale for example-which most concerned the classes on whose support the rulers relied. Usually referred to as an organ of oppression, in this period it was a means of protection for the weak against the strong; of the commons against the aristocracy. It is with this side of its activity that this thesis is concerned, especially with the reign of Henry VIII as most of the available source material is on his reign.^{1.}

The lot of the ~~the~~ lower classes in the first half of the sixteenth century was very hard. The rise of prices, described above, would in itself have caused hard times for them. But to this was added partial or total crop failures year after year. The year 1527, for example, was one of almost complete failure. Its causes are graphically given in Holinshed's Chronicles.^{2.} "In the winter season of this year (1526) fell great abundance of rain, namely in September, November and December. And on the sixteenth day of January it rained so abundantly that great floods ensuing thereby destroyed corn fields and pastures, and drowned many sheep and beasts. Then it was dry till the twelfth of April and from thence it rained everie day or night till the third of June, and in May it rained .

1. Vide note to p. 1.

2. Holinshed's Chronicles (ed. 1808), iii, 715.

thirty hours continually without ceasing, which caused great floods, and did much harm, namely in corn, so that the next year it failed within this realm and great dearth ensued." This year was especially bad but less complete failures were frequent. As a result the prices of food-stuffs rose higher and higher. Statistics show this. The price of beans from 1511 to 1520 averaged 4s. 9 3/4d. per quarter, in 1526 the price was 6s. 8d., and in 1527 7s.; in the same period the price of peas rose from 5s. 3/4d. to 7s. 6d.¹. The prices of other things rose to the same extent.

Contemporary opinion assigned to the rise quite another cause than the increase in the supply of money and the scarcity of crops. It seems to have been universally believed that the main reason was the interference of middlemen, the "cornering of the market" by forestallers, engrossers and regraters. Just how far they did affect prices would be difficult to estimate. The case is similar to that of today: to what extent is the high cost of living due to the increase of the money supply and to what extent to trusts? Certainly under mediaeval conditions monopolies were easier to get and in particular instances no doubt local prices were raised by such means. However such a question is not very important

1. Rogers, Hist. of Agriculture and Prices., iv, 256.

from our viewpoint; the significant fact is that it was universally believed that the general rise of prices was due to such practices and that the Tudor policy was opposed to them.

The dangers arising from the scarcity was greatest in the centers of population, which relied on the rural districts for their food supply. As this problem is so closely connected with the practice of forestalling some account of the method of meeting local conditions will be given. In many towns storehouses had existed from early times to hold grain to meet temporary needs. Supplies for the larger cities were negotiated for on the continent, in France, the Netherlands, and in the region around the Baltic. Under the Yorkists the practice was begun of commissioning certain men to buy supplies in the country, special districts for each city were fixed, and this system was continued in the Tudor period. In such counties the statutes against engrossing were suspended. Proclamations were issued containing directions as to what supplies the commissioners were to buy and the prices to be paid for them. To make these measures effective it was necessary that three things be done. In order that the inhabitants of any shire might not be reduced to want by the removal of grain from it, it was necessary that some estimate of the supply of grain in that district

be made. The movements of grain from one shire to another must be watched. Finally the exportation of grain had to be stopped.

Acting under instructions from the king the commissioners went into each county and searched for grain in order to make the estimate of the supply. If any household had more than enough for its own needs the surplus must be sold. Forestallors and other middlemen were to be reported for trial. The feeling against these is seen in the proclamation of 1528.¹ "The king.....considering how the great scarcity of ~~corn~~ and grain and high prices of late hath risen within this realm of England, by means of such evil disposed persons as doe combine and confeder together in Faires and markettes to set unreasonable prices upon said grain and corn to the great damage of his loving subjects and contrary to divers statutes and acts in that case provided of his gracious disposition willing speedy remedy be had against such forestallors and other offenders in this behalf straightway chargeth and commandeth that no person of what degree soever do forestall or combine with other to make or set such unreasonable prices nor that any person

1. Seld. Soc., vol. 26, 288-9.

not being a victualler or purveyor for any two towns or shires (the commissioners) or householders buy or take into his hands any more corn or other grain than shall be needful for his household and seed corn for his land. "Everyone with more corn than needed for these purposes must sell some from time to time. It would seem that shrewd business men had been evading the law, as it was further provided that any one buying corn for seed should bring an equal amount of old corn to the market in a few days. An exception was made of malters, and buyers of barley and oats for baking purposes. The execution of these orders was given to the "maiors, sherrifs, justices of the peace, Baillifs and other his faithful officers."

In the county of Strafford the commissioners appointed in 1528 found, after searching for grain in all the "stacks, reekes and mows and other suspicious places", that, unless some grain was brought from other shires, there would not be sufficient for the needs of the inhabitants. Everyone was willing to bring their grain to market and no forestallers or engrossers could be found.^{1.}

Those sent into Northamptonshire did not find such unselfishness.

1. Seld. Soc., pp. cit. 167-8.

When the commissioners visited the town of Oundle, in that district, the people were complaining loudly of the practices of one James Newby.^{1.} The class of people making the complaint is significant. Among them was a fishmonger, a chandler and a mercer. To the number given, nine, the complaint states that, "a c. mo (could be produced) an nede require!" Newby was "such a froward and contemptous person that very few men and no honest men be glad to meddle with him." His offence was that, notwithstanding the fact that the proclamation commanding all surplus corn to be brought to market had been read to the public, "to the great singular joye and comfort of the king's poor subjects", and that he had a large supply of grain stored away, he had refused week after week to sell in the market but had persisted in selling to strangers coming from other shires. He had openly boasted that he would sell none of his grain in the local market as long as the strangers would buy it, presumably at a higher price than that fixed by the authorities in Oundle. On the third market day William Bareth went into the market and "there heard the poor people make great lamentation for corn, that he pitied them sore in his heart." He immediately went to the bailiff and commanded him to go and force Newby to send

1. Seld. Soc., pp. cit. 168-78.

grain into the market.^{1.} Such actions, it should be said, almost caused personal combat between Barteh and Newby. It was also charged that Newby had thrown out of his storehouse a great quantity of grain "on the back side of the town", which was badly decayed, and eaten with weevil. The complainants thought this might have been better used for the "sustenance of God's people." In order to make sure of the punishment of the hated Newby he was charged with frequenting the gaming tables.^{2.} Associated with him was Alexander Stymson, who was well known as a forestaller and regrater. The operations of these two extended into the next shire and apparently great amounts of grain were bought up. Newby was self-confident as he declared in the public house that he had a thousand pounds to spend in the courts and had told them to bring him up for trial as he did not "set a straw by them all." For these offences he was summoned before the Star Chamber. Unfortunately his fate there is unknown. He is a good example of the type of men who were hostile to the Tudor policy.

In 1529 there was great misery in the county of Huntingdon. This was believed to be due directly to the activity of two forestallers Aylward and Branston.^{1.} They lived in Lynn, a seaport town in Norfolk.

1. Newby gave the command to the bailiff as one of the 'king's servants'. He was not one of the commissioners.

2. The commissioners were ordered to enforce the Statute of Winchester against vagabonds and unlawful games. L. and P. iv. 3587.

3. Seld. Soc., op. cit. 178-84.

After the proclamation prohibiting the removing of grain from one shire to another except by the commissioners had been duly published, these two men had bought "peas and beans, barley and oates to the number of ix^c and lxxx comes (half-quarters) wherof they had conveyed part out of the shire into Norfolk and would have carried the residue if they had not been stayed at our (the inhabitants of Yakesley, who brought the complaint) complaint and desire." Peas and beans rose two shillings per quarter in three days and evidently would have gone higher. A few months later they were again charged with forestalling.¹ Aylward had been loading his boat, presumably for the purpose of shipping the goods abroad, when he was stopped by a poor man, who declared that Aylward had in the last year shipped peas into Scotland and "pyned us for hunger!" Violence almost resulted, for "Aylward alyted in a fury.....;; and drew his sword and Buckeler and came to the poor man violently," who was so endangered that he would have been injured "if he had not the better shifted for himself." Later a man had been refused seed corn. At threats of trial Aylward had declared he "could raise a hundred of as good fighting

1. Seld. Soc., op. cit. 182-4.

men as the king hath."The only recourse against such oppression was royal protection, so the inhabitants appealed to the Star Chamber.

The exportation of products of small bulk was especially to be guarded against, since it was easier to conceal them than such products as grain and live stock. A proclamation of 1534 dealt with the forestalling of butter and cheese with the intention of shipping to the continent.² "Where your subjects might have plenty of butter and cheese and other victuals;.....at prices reasonable as well for the buyer as for the seller, there has been.....divers persons in every county to regrate and engross great plenty of butter, cheese and other victuals, and to sell the same to be shipped into parts beyond the sea....., and so for the singular advancement of a few persons in number bring the said victuals to great and high prices as they now of late have been, to the great impoverishing of your poor commons in general."It was provided that only when butter and cheese were at a low price they might be exported.

The last case dealing with forestalling of grain to be given illustrates the feeling against forestallers, engrossers and regraters

1.. Seld.Soc,op.cit.291.

who bought with the intention not only of sending the goods so obtained to other shires or to the continent but of selling in the local market.^{1.} A most consummate rascal according to the conceptions of the time was John Knyght of Andover. He was one of a class of farmers who 'engrossed' farms, having two farms and a mill-in itself an evil since "good households(had)always been upon every one of them and now they(were)held in the hands and occupation of the said Knyght." Evidently he was a shrewd business man, according to modern ideas.

His offence was threefold. Not being content with the great amount of grain which he raised on his own farms he engrossed more. For the purpose of buying grain he had carriers who went from house to house and bought it. This was openly forestalling. Moreover in the market he frequently offered four or five pence more than others could afford to pay. At first this grain was sent into other shires and the inhabitants of Andover, in which he lived, were left in want. The people made complaint to the commissioners and Knyght was commanded to stop such practices. He then went into the baking business.

1. Seld. Soc. pp. cit. 206-18.

This was a crime in itself since he had not gone through the period of apprenticeship, and aroused the opposition of the local gildsmen on that account. This-going into business-was a favorite way of evading the law. In this case it was used to the utmost for where he (Knyght) baked one quarter he bought ten. He thus came into conflict not only with the poor subjects but with the powerful bakers and brewers. It is questionable who was in the right in the dispute which followed. The bakers had Knyght brought up for trial on a charge of selling short weight loaves and he was found guilty. An injunction restraining him from continuing in business was granted by the chief justice. In his return he answered that since he had such large supplies of grain he could afford to sell cheaper than the other bakers, and had done so, and that as a result the latter were driven out of business. He accordingly appealed to the Star Chamber for protection against the selfish town authorities. The verdict is not given-judging from the general reactionary policy of that court, we would expect that it was against Knyght.^{1.}

1. Seld. Soc. pp. cit. 218.

These cases show how the central government with the co-operation of the local authorities-the bailiffs and town magistrates-sought to deal with the problems of preventing local scarcity. The difficulties arising from such a system, it is hoped, are also apparent. The important thing from our viewpoint is that the attempt-successful or unsuccessful-was made by the Tudor monarchy in the interests of the commons as against such capitalists as Aylward and Knyght.

Of almost as great importance as the supply of grain was that of meat. Relatively, much more meat was eaten in the middle ages than now; especially in the winter season, when salt meat, as in the rural districts today, formed a large part of the daily meals. "Beef, generally oxbeef, is the diet of the whole year, veal of the spring", is Rogers' description of English fare in the fifteenth century.¹ There had been as great a rise in the price of meat as of the products-corn and other grains-discussed above. From 1511 to 1520 the average price of oxen was 23s. 2d. per head; for the following ten years it was 30s. 1/4d., and in the year of greatest scarcity-1528-was three times that.² The reasons

1. History of Agriculture and Prices, iv., 325.

2. Ibid., 355.

for such a rise were probably those given above-failures of crops added to the debasement of the coinage and the coming in of a large supply of ^{precious} metals from America. The common opinion was, however, that high prices were caused by the interference of middlemen-the butchers and the cattle-dealers.

The crown tried to solve the problem by various acts. Much of the scarcity was caused by the slaughtering of young calves; for with feed so scarce it was cheaper to kill young stock than fatten it. It is probable that the richer classes demanded veal as a luxury which the commons in times of scarcity could not afford. The earliest statute of Henry VIII dealing with the problem of meat supply was intended to stop this practice.¹ This act passed in 1529-forbade the killing or offering for sale any calf born between January 1 and May 1 in any of the three years 1530, 1531, or 1532. Following this prices dropped a little. It was felt that another cause for high prices was that of exportation of meat; this was prohibited in 1534, unless the price of cattle was low.² More direct measures were soon taken. It

1. 21 Henry VIII cap. 2, amended and re-enforced by 24 Henry VIII, cap. 19.

2. 24 Henry VIII cap. 3.

was ordered that meat be sold by weight and at prices fixed by statute- a half penny a pound for the best parts of beef and pork, a halfpenny and a farthing for mutton.² Such a step was thought to be necessary to prevent the exorbitant profits of the butchers, who like all merchants were thought to be trying to earn a living by speculation rather than by manual labor, and to seek gain for its own sake at the expense of others. At once a difficulty appeared. The butchers complained that the grazers and feeders charged such high prices that it was impossible to sell at the prices fixed and stay in business. The natural thing was to order the latter to sell at reasonable prices. It was accordingly ordered that, "they (the grazers) shall conform the prices of..... cattle as they sell to the butchers so that the butchers and other buyers thereof intending to sell by weight according to the act of parliament..... may utter and sell the same cattle to the king's subjects according to the tenor of the same act." Any grazer refusing to do so should be reported to the Star Chamber. Regrading of cattle-buying with the intention of selling by the head- was prohibited

by the same act.¹ Apparently the grazers were obdurate as a proclamation in the last part of that year-1534-gave sheriffs and justices of the peace authority to seize the live stock of those refusing to sell at the prices fixed and to sell the same to the people at those prices.² In such cases the proceeds were to be given to the grazer. Yet the prices continued to rise. Probably thinking the problem of the grazers was solved, the next act was directed against the butchers, and was a reaffirmation of the former statute ordering butchers to sell at the prices fixed by parliament.³ Those refusing to sell were now to be committed to prison. In the nature of things such measures were futile. At the next session of parliament a more complete program was planned, in that both butchers and grazers were included. Butchers who sold at other than the set prices and grazers who refused to sell at prices which would allow the butcher a reasonable profit should be sent to prison. A concession was made that prices should then be fixed by unprejudiced persons at the command of the justices of the peace. The offenders were to appear before the Star Chamber.⁴ There are

1. Seld. Soc. op. cit. 205.

2. Ibid., 300-2.

3. Ibid., 302 et. seq.

4. 25 Henry VIII cap. 11.

unfortunately, no cases arising from these acts but the statutes themselves show clearly the policy of the crown and the difficulty of enforcing such legislation.^{1.}

In concluding this discussion of the attempt to keep prices down to the old level, it should be said that nothing seems to have been accomplished. The real cause for the rise was too deep for legislation; "combinations" may have helped but were not the fundamental cause. The continual rise of prices, in spite of legislation is shown by the following statistics:^{2.}

The average price of live stock for ten year periods.

	Oxen.	Calves.	Mutton.
1491-1500	15s.3 1/4d.	2s.1d.	1s.10d.
1501-1510	22s.6 1/4d.	2s.6 1/2d.	2s.4d.
1511-1520	23s.2d.	2s.3 1/2d.	2s.5 3/4d.
1521-1530	30s.10 1/4d.	2s.7 3/4d.	3s.4d.
1531-1540	28s.7 1/2d.	3s.7 3/4d.	3s.3d.

The policies of Henry VIII were adopted by the advisers of Edward VI. The first act of his reign concerning trade and prices was designed to prevent combinations among the craftsmen in the towns.

1. There are other proclamations for the price of meat reprinted in the twenty-^{fifth}~~sixth~~ volume of the Selden Society publications, which repeat in effect what has already been referred to. The Star Chamber was finally forced to admit defeat by temporary measures to meet special conditions.

2. Rogers, op. cit., iv., 355.

The bakers, the costermongers, and others enumerated in the statute had combined to keep up prices. Any gild doing this after the passage of the act was to be dissolved by royal command.¹ A more radical step was taken in the next session. Prices of meat were still rising and there was great distress in the rural districts in winter. To help those in the country the engrossing of cattle even for the supplying of cities was prohibited. Nor could any cattle be bought to be sold in the same market under any conditions—that is regrated. From this last provision the butchers were excepted.² An act of the same year prohibited the engrossing of butter and cheese, unless it was to be sold in shops.³

The best expression of the feeling against forestallers, engrossers and regraters, however, is found in the severe law of 1552.⁴ For the first time clear definitions of the terms were given. Forestalling, it was provided, should consist of going out of town to buy any produce coming to market; or to dissuade any person any person so coming to bring his goods to market; or to make any bargain or contract to buy goods before they were brought to market.⁵ Anyone buying up corn, wine, fish, butter, cheese, candles, tallow, sheep, lambs, calves, swine, pigs, beef, capons,

1. 2 and 3 Edw. VI. cap. XV.

4. 5 and 6 Edw. VI cap. XIV.

2. 3 and 4 Edw. VI. cap. XIX.

5. Ibid., par. I.

3. 3 and 4 Edw. VI. cap. XXI.

hens, pigeons, conies, or other "dead victuals" in a market and selling it or them in the same market or any market within four miles of it was to be tried as a regrater. Anyone 'ingrossing'-buying the whole supply-by any contract or "promise-taking", other than by inheritance grant, lease or tithe, any growing corn or other corn, butter, cheese, fish, or other supplies should be tried as an engrosser. The punishment for these offences was made severe. For the first offence, the offender was to suffer a two months imprisonment and forfeiture of the goods bought; for the second, a half years imprisonment and forfeiture of double the value of the goods; and for the third, confinement in the pillory, forfeiture of all goods in his possession, and imprisonment at the king's pleasure.^{1.} To this some exceptions are made. Walters, ship-captains, inn-keepers, craftsmen, if the goods so bought were sold to their fellow craftsmen at reasonable rates, and officers commissioned to buy supplies for the cities were not to come under the provisions of the statute.^{2.} The same provision was made for the buying of seed corn as in the earlier statutes-that an equal amount be brought to market soon after.^{3.} Butchers were allowed to keep live stock five

1. Ibid. pars. IV, V, and VI.

2. Ibid. par. VII.

3. Ibid. par. VIII.

weeks before selling it alive.^{1.} When grain reached a low level of prices it might be engrossed.^{2.} Severe as the statute was however, liberty was given to carry grain into other shires under licences granted by the justices of the peace.^{3.} This implies that there was to be some buying of corn to sell again and in other parts of the country. It is seen that engrossing^{had} come practically to mean buying wholesale to sell wholesale. This was the most complete and the last general act against forestallers, engrossers and regraters.

1. Ibid. par. IX.

2. Ibid. par. XIII.

3. Ibid. par. XII.

Chapter III.

THE LATER HISTORY OF LEGISLATION

REGARDING FORESTALLERS, ENGROSSERS AND REGRATERS. CONCLUSION.

Some attention will be paid in conclusion to the later history of legislation against forestallers, engrossers and regraters. The comprehensive statute of Edward VI last mentioned ^{1.} was re-enacted by the various parliaments until the last quarter of the eighteenth century. It was modified in details by other laws, for example that of 1663 which prohibited butchers from selling fat cattle even after the five weeks allowed by the earlier statute. ^{2.} This was intended to prevent them from using their trade as a pretext for speculation in cattle; was based on the old idea that the middlemen were reaping unjust gains by buying to sell again. However, as trade became freer and methods of transportation improved, and with a better knowledge of political economy the amount of such legislation decreased and the old laws were finally

1. 5 and 6 Edw. VI cap. XIV.

2. 15 Chas. II cap. 8.

repealed. Laissez faire economists in the last half of the eighteenth century were loud in their denunciations of such restrictions on trade. Adam Smith in his Wealth of Nations paid considerable attention to such legislation and its shortcomings.^{1.} The first step toward their repeal had been made four years before-in 1772, when five acts, beginning with these of Edward VI had been repealed.^{2.} The reason for this change of attitude is well expressed in the act which recites that it had been found by experience that, "the restraints laid by several statutes upon dealing in corn, meal, flour, cattle and sundry other sorts of victuals, by preventing free trade in the said commodities, have a tendency to discourage the growth (of trade), and to enhance the price of the same." The statutes had been only laxly enforced for some time before that but there was danger that they would be revived. After the repeal of the five acts it was found that the offences had root in the common law, and that popular prejudice was unfavorable to them. The statutes passed before the time of Edward VI were also in force, notably the "statutum de pistoribus, etc.",^{3.} and that of Henry III.^{4.} As late as 1800 there was a

1. Smith, Wealth of Nations, bk. IV., chap. V;

2. 12 Geo. III cap. 71.

3. Vide p. 15.

4. Vide p. 16.

conviction under the common law.^{1.} John Rusby was indicted for buying ninety quarters of oats at forty-one shillings per quarter and selling thirty of them on the same day at forty-three shillings. Lord Kenyon strongly criticized the repealing act of 1773, passed according to him "in an evil hour", and addressed the jury against Rusby. He was heavily fined, but on appeal the court was equally divided as to whether engrossing was still an offence at common law. The evils in the system were finally realized and in 1844 the common law offences were abolished and the statutes which had not been included in the act of 1773 were repealed.^{2.} Laissez faire was now the ruling economic maxim.

And finally, in recent years there has been a marked reaction to the mediaeval idea of trade regulation. Competition, which in the nineteenth century was relied on to bring prices somewhere near their just level has been found to be ineffectual in many cases. Combination, which the Tudors were opposing, has lately superseded competition. It has been necessary to greatly modify the doctrine of laissez faire. In order to safeguard the interests of the consumer many statesmen are now advocat-

1. Peake, N.P., Case 189-R. vs. Rusby.

2. 7 and 8 Vict. cap. 24.

ing government regulation of prices. There is in this an interesting parallel between the times of the Tudors and our own-the growing statification of society, the strong individualistic tendencies of certain capitalists, and the alliance of political candidates and the middle and lower classes-whose outcome will be seen in the next half century.

BIBLIOGRAPHY.

Ashley, W. J. Introduction to English Economic History and Theory.
2 vols.; New York, 1894.

Beale, J. H. Select Cases in Criminal Law. Cambridge, 1894.

Busch, Wilhelm England under the Tudors-vol. I, Henry VII.
London, 1895.

Cheyney, E. P. Introduction to the Social and Industrial History
of England. New York, 1901.

Coke, Sir Edw. Third Institute. London, 1642.

Crowley, Robt. Select Works, ed. by T. Cowper. Early English Text
Society, extra series vol. xv.; London, 1872

Cunningham, W. The Growth of English Commerce and Industry.
2 vols. Cambridge, 1870.

Green, J. R. Green History of the English People. 4 vols.
New York, n.d.

Gross, Chas. The Gild Merchant. 2 vols. Oxford, 1890.

Palgrave, R. H. I. Dictionary of Political Economy. 3 vols.
London, 1894-1901.

Rogers, J. E. T. The History of Agriculture and Prices in England.
6 vols. London, 1866-87.

----- Six Centuries of Work and Wages. New York, 1884.

Selden Society, Publications of

Select Cases concerning the Law Merchant, ed. by Chas. Gross
London, 1908

Select Cases in the Star Chamber, ed. by I. Leadam. London, 1910.

Smith, Adam Wealth of Nations, ed. by Cannan. 2 vols. London, 1904.

Smith, T. English Gilds, with an introduction by L. Brentano.
London, 1870.

Stephen, Sir J. F. S. A History of the Criminal Law of England.
3 vols. London, 1893.

Stubbs, Wm. Select Charters. Oxford, 1890.

010-100930806

RECEIVED
SEP 14 1912
UNIV. OF MO378.7M71
XP25

This thesis is not to leave this room.
Neither is it to be checked out overnight.