



The Gild History of Chester

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DO not know to what extent, or in what degree of completeness, the records of the Chester gilds exist at the present time, but from the scanty and scattered notices of them which I have come across in studying the general subject of the gilds of England, I should think the history of those of Chester must be a most interesting and instructive one, and I envy the man who writes it.

Of course to-night I make no pretence to do that. I could not if I wished, for I have had no opportunity of searching your local records for gild remains, and the ordinary authorities on economic history are quite silent as to the fraternities in your city. For instance, in Toulmin Smith's Collection of Gild Statutes there is no mention of Chester. Cornelius Malford has not supplemented this in any way. At the Public Record Office there is no knowledge of anything relating to Chester among the bundle of unpublished material out of which Toulmin Smith compiled his collection. Dr. Gross, in his recently published work on "the Gild Merchant", has given very few details of your gilds. I have not yet had the advantage of hearing the paper which Mr. Henry

Taylor has prepared for this evening. So you see my materials have been scanty. They will, however, serve the purpose of drawing your attention to the general subject of gilds, and, I hope, of convincing you of its importance.

I hope to point out the lines along which, as I suppose, your city's economic history travels. I do not propose to illustrate any striking peculiarities in its gild history so much as to take isolated points in it to illustrate the general history of gilds. My paper will therefore be historical rather than archæological.

Not that your city has not exhibited many striking peculiarities in its long life; that would be only natural from the circumstances of the case. But those peculiarities *you* know better than I. Moreover, it is not from the study of local peculiarities that history is learned, and with history rather than archæology I am concerned to-night.

Firstly, then, what were the gilds?

It is scarcely necessary to point out that the conception of the gild belongs to no particular age and to no particular people. The tendency to association is simply the result of man's gregarious nature, and there is no need to restrict (as some writers have tried to do) what is found alike in all peoples and at all periods.

The English gilds were eminently social and non-political bodies. They were local, not national institutions, founded by the men of the district themselves, for providing for their own peculiar needs in their own peculiar way: not always, we may say, in the best way, but in that which they who knew the special requirements of the case considered the best. They were one of the means of expressing that sentiment which was perhaps stronger than any other during the Middle Ages—the

principle of association, the feeling of the common brotherhood of men, the abhorrence of selfish, anti-social individualism.

So it was natural that in the towns all the men of a trade should unite in a craft gild. These, not less than the other gilds, had for their very essence the recognition of the community of interests, not solely of the workers in the trade, but of the general public as well.

In their documents the members are called not "competitors" but "brethren." The object of their work was to serve the public well; to provide goods which should be worth the price set on them. The gilds existed to secure these ends. One of their important officials was the Searcher, whose duties were "to make serche uppon all the occupyers of the saide crafte . . . that non of them occupie eny false Balaunce, Weight, or Mesures belonging to the sayde craftes or eny of theym, wherebie the Kynges People in eny wyse myght be hurt or disseysed" (*Shrewsbury Mercers' Composition*, 1480-81.) All goods were to be "able, suffyceant and lawfull", so that, "no dissayte nor gyle to the Kynges liege people therebye be had." It was in this spirit that they forbade night-work, because it was likely to be bad work; that they required seven years' apprenticeship in order to secure adequate training of craftsmen; that they ordered that "no broder" should "induce or tyce any other Mastres accostom" (*Barbers' Composition*, 1483), because they knew the evil results to public, work, and workmen, of unbrotherly competition.

The growth of the craft gilds was due to the development of division of labour. In the earlier days of industrial growth—in the years immediately succeeding the Norman Conquest—gilds of merchants (that is,

simply *tradesmen*, for the word merchant at first embraced all who were in any way connected with buying and selling, and included petty shopkeepers and even handicraftsmen) had sprung up rapidly all over England. These had, at first, no charters, because none were needed: they were voluntary institutions. Various reasons, however, made royal authorisation advisable, and the legalisation of the merchant gild became one of the most dearly prized grants. The earliest authorisation of your gild which I have been able to find, is contained in Earl Ralph's charter, given in the first half of King John's reign—

“Notum sit vobis omnibus me dedisse et concessisse et presenti carta mea confirmasse omnibus civibus meis de Cestria Gildam suam mercelem cum omnibus libertatibus et liberis consuetudinibus quas illi unquam melius et liberius et quietius habuerunt temporibus antecessorum meorum in predicta Gilda.”¹

You see from the words of the charter that the gild has evidently been in existence a considerable time.

At first, of course, this single body performed the work of supervising trade. But as the commerce of the town increased, and as division of labour developed, specialisation became necessary.

This was secured by authorising the smaller gilds, which the spirit of the times was calling into being, consisting of men working at the same craft. To them was delegated many of the functions which the merchant gild had previously performed. Let me here sound a note of warning. In all branches of town history endless confusion prevails. In the ordinary range of current literature the wildest blunders are perpetrated and perpetuated. In the one department of it, with which we

¹ Gross—The Gild Merchant. Vol. ii., page 40.

are concerned to-night, we read over and over again of the "fierce conflict" between the merchant gild and the craft gilds. Indignant words are freely used of the "civil strife" which this imaginary struggle caused; and much eloquence is expended on the final victory of the craftsmen, who are pictured as beating the oligarchic patricians out of the field, and establishing the government of the town on a popular footing.

Now, the whole story of the struggle between the lesser tradesmen and the greater is, as far as England is concerned, the merest fiction. The records of the towns and of the gilds prove that the exact reverse was the case. The increasing complexity of the task of regulating trade, as division of labour developed and commerce expanded its bounds, became difficult, and the central body was glad to depute its powers to, and to exercise its functions through smaller and specialised agencies—that is, the craft gilds—whose inception the merchant gild favoured, and whose progress it fostered.

Dr. Brentano is the fountain head from whence flows this great stream of error. We may be able to understand a German Professor, imbued with the spirit of hostility to employers which animates foreign craftsmen, and cognisant of the fierce conflict between the two classes which past ages had actually witnessed in the towns of his native country, reading into English history the same facts. Traces of some friction, of course, occur in one or two towns, and these might be sufficient to lead him to suppose that English gild history was much the same as foreign. It *was*, apparently, much the same in London, from which city Dr. Brentano drew most of his facts. But it was so in London only. Still, we can hardly censure very deeply the foreigner for not appreciating the spirit which

animated English merchants and English craftsmen in the past, and so for mistaking the line of gild development in England.

But from *English* writers we have claims to expect better things; yet, in current literature, it cannot be said that there is any improvement, though nothing can be more certain than the fact that the craft gilds were not only not opposed by the merchant gild and its successor the town corporation, but were positively supported by the latter.

To begin with, their charters contain no articles which would stand them in stead in a conflict with a higher power; whereas, if these charters had really been the hardly-won prize of a severely contested struggle, they would assuredly have contained some embittered articles in consequence of the past and in preparation for the future.

Again, internal police was very materially assisted by the gilds. Not only were dissensions among com-brethren to be brought before the officers instead of forming the occasion of unseemly brawls and disturbances, but in keeping the peace the gild officials were supported by the municipal authorities.

The gild officers, though freely elected by the com-brethren, took their oaths of office before the town authorities, who also secured, if necessary, the enforcement of the ordinances of the gilds.

It has already been mentioned that the corporation, which for all practical purposes we may look upon as the continuator of the merchant gild, ceased to take cognisance of trade affairs: these it delegated to the craft gilds. There is thus plenty of positive evidence for the view I wish to impress upon you, namely, the

absence in England of any severe struggle between employers and employed in the Middle Ages.

There is a second point, too, to which I would direct your notice.

The ordinary authorities on economic history say little or nothing of the non-gildated tradesmen in the towns, though it is certain these formed an important portion of the commercial community. To understand fully the conditions under which trade was carried on in mediæval England, and indeed down to the present century, the existence of such unfree merchants must be taken into account, and their importance appreciated.

The idea is very universal that in mediæval times the life of the ordinary individual was one long hard struggle against restraint. It is pointed out for instance that a man might not trade unless he belonged to a privileged gild. But, as a matter of fact, there was ample freedom and elasticity of thought and action during the Middle Ages. By industry and perseverance the meanest apprentice could look forward to the attainment of the highest honours his craft could bestow, and even, by success in trade, to nobility. In England there has never been an impassable barrier between commerce and birth.

There were, too, important exceptions to the restrictions of the guilds. In fair-time—and the fairs were a very important feature in mediæval life—there was unrestrained freedom of trade. Of your own July and October fairs, I read that during the whole twenty-nine days of their continuance, non-freemen were allowed to trade without let or hindrance.

But it was quite possible for tradesmen living in the town, yet not free of a gild, to purchase exemption

¹ Lewis's Topographical Dict. Vol. i., p. 430.

from the local restrictions. It will be observed that the Royal Charters which authorise the gilds and grant exclusive privileges of trading, provide (to quote the words of your own city's charter, granted by John le Scot, Earl of Chester and Huntingdon, in the time of Henry III.)—

“Quod nullus mercator aliquod genus mercimonii quod ad civitatem Cestrie per mare aut per terram venerit, emat vel vendat, nisi ipsi cives mei Cestrie et eorum heredes vel *per eorum gratum.*”¹

By virtue of this clause, “*nisi* per eorum gratum” (or, as it generally ran—“*nisi* de voluntate eorundem Burgensium”), it became customary for many towns to grant exemptions from the gild restrictions by their own authority. They practically gave over to the gilds the supervision of trade, but at the same time retained in their own hands the power of admitting traders without obliging them to join the mercantile fraternities.

This power of granting exemptions from the restrictions of the gilds seems to have been exercised in various towns in different degrees. In some it extended no further than the permitting “foreigners” to come to casual markets on payment of a toll upon each occasion. In others, however, it was more largely and generally used, merchants being allowed to be resident, and to trade continually and regularly by payment of an annual fine.

In the latter case the effect was to create two distinct classes of traders within the town, one *free* and the other *unfree*. Mention of these *unfree* tradesmen is found in the records of many towns in England and Wales: in Norwich, Winchester, Lincoln, Leicester, Andover, Yarmouth, Canterbury, Henley-on-Thames, Malmesbury,

¹ Rep. MSS. Com., 1881, p. 356.

Bury S. Edmunds, Totnes, Wigan, Chester, Shrewsbury, Worcester, Clun, Brecknock, Neath, and others.

The designation of these unfree tradesmen varies. At Andover they were known as *custumarii* (in opposition to the *hansarii*—the full members of the gilds); at Canterbury, a similar body appears under the name of *intrants*; in Scotland and the North of England they were called *stallingers*. The most usual name for them is, however, *censer*, *chencer*, *tenser*, and variations of these.

The fines which the tenses or censers paid were imposed in the Court Leet. On the Court Leet Rolls in many places are entered lists of names and fines headed "Nomina eorum qui merchandizant infra villam et Suburbia eiusdem, et non Burgenses, ergo sunt in misericordia." In the first year of the reign of Henry IV. (A.D. 1399) it was ordered that these fines should be levied at Shrewsbury before the feast of S. Catharine (November 25) in each year. The Court Leet also decided the amount of the fines; but in later times when the select body of magnates had deprived the popular courts of so many of their powers, we find that the apportioning of the tenses' fines had also passed to the close corporation.

In some towns special civic officials were appointed to supervise the tenses. At Chester the "leave-lookers" were among the most important of the borough officers. The word *leve* or *leave* has very much the same signification as the word *cense* or *cess*. It is the English "levy," and was the fee or toll for permission to trade. The "leve-lookers" were the officials who exacted the levy or toll which unfree tradesmen were obliged to pay.

These unfree tradesmen were not only men coming to the city occasionally to fairs, but were also men living habitually in the town. "If any did dwell in the City

that were not free, if they did ever buy or sell within the Liberties, they did likewise compound with the *Custos* and *Mercator* [Custos Gilde Mercatorie] by the year."¹ A similar explanation of this class is given in MS. Harley 2057, fol. 16, "if any dwelled within this Cittie that were not free, and either sould or boughte to sell within this Cittie, etc., they did likewise compound with the Custos Gilde Mercatorie by the year, otherwise they might not be suffered to retail anything."

The *leave-lookers* were appointed annually by the Mayor. The sum they collected was 2s. 6d. from each unfree tradesman. Their functions appear to have ceased in or about the year 1825.²

The exact status of the censers or tenses it is not easy to define. They were certainly considered an inferior body of burgesses, and though the tendency was, in other than commercial matters, to assimilate the two classes, in later years the political rights of the townsmen were jealously guarded. The two classes remained unmistakably distinct up to the present century, and yet writers of economic history have not mentioned the fact of their existence.

I have tried to bring the gilds before you in a light which I am aware differs from that in which they are usually presented. I have shewn you them in the closest union with the town authorities, and I have pointed out that it was quite possible for men to trade in the towns without belonging to the gilds. It is this national and eminently practical character which explains the fact that all through the close of the mediæval period, when complaints were rife concerning the gilds, no one ever

¹ King's Vale Royal, Chester, 1656 (ii.) page 167-8.

² Munic. Corp. Com. 1835, p. 2621.

thought of blaming the system; it was the abuses which had crept into the system which were the cause of complaint.

Consequently the aim of the Government was continually to reform these abuses, and at the Reformation,¹ when the plunder of their property so disastrously weakened the gilds, it was never proposed to break them up. In the building trades it was found to be necessary to allow greater freedom, but in general the policy was to strengthen the hands of the companies by legislative enactments in their favour.²

And they were brought more than ever into connection with the town authorities. Not only were they under municipal supervision, but their officers had to take their oaths of office before the civic officials. Of Chester I read that in 1831 "there are no less than twenty-four guilds or trade companies,"³ headed by aldermen, or wardens, and *holding Charters of incorporation under the City's Seal*: by their constitution they are obliged, when required, *to pay homage to the Mayor*, and to contribute certain sums yearly to the City plate, run for at the races on St. George's Day."⁴ The last requirement is not of much constitutional importance, but the whole extract is valuable as showing the close and real connection between the corporations and the post-reformation companies.

Though these were mainly composed of the same men as the old gilds as far as master-tradesmen went (for the journeymen dropped wholly out of them), and though

¹ Stat. 1, Ed. VI., cap. 14.

² Stat. 2 & 3, Ed. VI., cap. 15, par. 3.

³ Charter to Merchant Adventurers of Chester. Record Office—Patent Roll, 1 Mary., p. 12, mem. 12.

⁴ Lewis's Top. Dict., Vol. I., p. 430.

they had for their object the regulation of trade, these sixteenth century companies differed essentially from the old guilds in spirit. The motive of the guilds was the general welfare—in the case of the companies it was individual gain. The influence of the guilds was a healthy social and moral influence—that of the post-reformation companies was directed to selfish and political ends. Although when viewed superficially they might seem to resemble the guilds, yet really they differed essentially from these.

Their moving spirit was quite different. In them begin most of the modern abuses of labour disputes. Chester supplies an instance of *picketing* even as early as the year 1614. In that year one Aldersey, an ironmonger, was commanded to cease from work and to close his shop. It was the Company of Mercers and Ironmongers which issued this edict. Aldersey refused to obey. In consequence, the company resolved to boycott him. "Soe daie by daie two others [of the company] walked all daie before the said shop and did forbidd and inhibitt all that came to the said shopp for buyinge any wares there, and stopped such as came to buy wares there." The civic authorities intervened, but without success, though the Mayor ordered the pickets to depart "upon their oathe" of allegiance to his office. They answered that they were sworn to their company: "they walked and remayned and plaid their wilfull parte."¹ This distinct opposition of interests between the public and the guilds could never have occurred in mediæval days. Unfortunately it has too often been seen in connection with the modern trades unions, the successors and representatives of the guilds. These were formed in the first instances for the purpose of resistance

¹ Harl. MS.—Brit. Mus. 2054, fol. 89, 90.

to the masters, and through all their history this spirit has clung to them. Yet it may be hoped that, as the need for it grows weaker, the analogy which their promoters love to institute between them and the old craft guilds may become more and more real. They have already done much to raise the condition of labour, and as Friendly Societies they are of the highest value to the workmen. There are signs, too, that we may in time even obtain organizations which, with due allowance for altered conditions, may accomplish much of the other good work which the craft guilds performed for mediæval industry.

I have now come to the end of my paper. I have omitted much that I might have said—much that would have been far more picturesque and interesting than my observations can have been. The Whitsun Plays of Chester, for instance, are famous. I have not even mentioned the religious or social guilds, with their chantries and special altars. I have not gone at all into the eminently social and brotherly character of the English guilds, their common feasts, and processions, and meetings, which made the country “Merrie England” in fact as well as in name. I have preferred to select one or two of the features of the guilds which are less commonly recognised, but which your City of Chester eminently illustrates. The intensely national character of the guilds, their close union with the town corporation, their freedom from absolute exclusiveness (as the toleration of an unfree class of tradesmen proves), their essential difference from the post-reformation companies (which continued to arrogate to themselves the name, but only half the spirit, and that the worse half, of the guilds), the continued intimate connection between these companies and the authorities (showing that the

Government fully recognised the value of the gilds—that they thought they were preserving them),—these are the special points of value in the gild history of Chester.

In conclusion, I may be permitted to indicate briefly how a special interest attaches at the present time to the history of the gilds, and to the study of their influence and development.

The condition of the working classes must always be a point of vital importance to the welfare of the State: it is peculiarly so to-day. Anything, therefore, which can assist us to understand how the present degradation of the craftsman has been brought about, and which may help towards his amelioration, will be valuable and of practical usefulness.

Five hundred years ago the working man differed very widely from his modern representative: how widely may be gathered from a single illustration. The architects and designers of the churches and other buildings, which the Middle Ages have bequeathed to us in such large numbers and of such exquisite beauty, are, in the vast majority of cases, unknown to-day even by name. They were not less unknown to contemporaries. For they were men of like nature with their fellows: *ancestors of our modern artizans*. How great a change has grown up in the generations which have intervened.

Five centuries ago the workman was intelligent and skilled: he is now untrained and degraded. He was then able and accustomed to take a proper pride in his work: he is now careless and indifferent. He used to be provident and thrifty: now he is usually reckless and wasteful.

It is not too much to say that a great reason of this vast difference is to be found in the influence which the

gilds exercised. In their character as benefit clubs they taught their members to be thrifty : by insisting on a careful and systematic training they made them skilled and capable workmen, and as such able to take an interest in, and to derive pleasure from, their work. They prevented extreme poverty from ever becoming at all normal. They did much to secure regularity of work, and to steady the price of labour : it is uncertainty of employment, and demoralising fluctuations of wages which are among the most crying evils of our modern industrial *régime*.

Thus, it is evident how great and peculiar an interest attaches to the whole subject of the gilds at the present day. It is a subject which does not merely offer attractions to the antiquary, or provide valuable materials for the student of constitutional and municipal development ; it has a far wider and more human significance. A study of the extent and nature of the influence which the gilds exercised on the condition and skill of the working man in the past, will help to solve the problem of his improvement in the present and in the future.

